

By Mr. VREELAND: Petitions of Jamestown, Rossburg, Allegany, and Olean, N. Y., in favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, petition of Ripley Grange, No. 65, Patrons of Industry, of New York, favoring the passage of Senate bill No. 1439, to amend the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of Cuba, N. Y.; Baptist, Free Methodist, and Methodist Episcopal churches of Rushford, N. Y., against the sale of liquor in Army canteens, etc.—to the Committee on Military Affairs.

Also, petitions of Cattaraugus Post, Silver Creek Post, and Forestville Post, Grand Army of the Republic, Department of New York, favoring the establishment of a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. WADSWORTH: Petition of George F. Thompson and others, of Middleport, N. Y., favoring the passage of Senate bill No. 1439, to amend the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, petition of Attica Post, No. 219, Grand Army of the Republic, Department of New York, favoring the passage of a bill to establish a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. WANGER: Petition of Jesse S. Kriebel and 57 other members of the Farmers' Union of Worcester, Pa., for the enactment of a law making oleomargarine and other imitations of dairy products subject to State laws upon arrival in any State or Territory, and especially amending House bill No. 6445—to the Committee on Agriculture.

Also, resolutions of Graham Post, No. 106, Grand Army of the Republic, Department of Pennsylvania, favoring the establishment of a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. WEEKS: Petition of the Shipmasters' Association of Detroit, Mich., asking for a resurvey of the north end of Lake Michigan and west end of the Straits of Mackinaw—to the Committee on Rivers and Harbors.

Also, petition of Abraham Lincoln Lodge, No. 445, Brotherhood of Locomotive Firemen, of Columbus, Ohio, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

Also, petition of Robert J. Wade Post, No. 417, of Harbor Beach, Mich., Grand Army of the Republic, in favor of House Bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. WHEELER of Kentucky: Petition of William E. Holcombe, private, Company I, Fourth Regiment Tennessee Volunteers, for pension—to the Committee on Pensions.

By Mr. WRIGHT: Petitions of the Woman's Christian Temperance Union of Tunkhannock, Pa., and the First Methodist Episcopal Church of Canton, Pa., to prohibit the selling of liquors in any post exchange, transport, or premises used for military purposes—to the Committee on Military Affairs.

By Mr. ZIEGLER: Petition of surviving members of Worth Infantry and York Rifles, in support of House bill authorizing and directing the Secretary of War to issue to them medals of honor, etc.—to the Committee on Military Affairs.

Also, papers to accompany House bill to remove the charge of desertion now standing against George W. Stape—to the Committee on Military Affairs.

Also, papers to accompany House bill to remove the charge of desertion from the record of Jesse Utz, late of Company G, Seventy-fourth Pennsylvania Volunteer Infantry—to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

FRIDAY, April 13, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BROWNLOW for one week, on account of important business.

The SPEAKER. The gentleman from California [Mr. KAHN] has sent word to the Chair that he wishes to be excused indefinitely, on account of the death of his mother. Without objection, this request will be granted.

There was no objection.

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the consideration of

business on the Private Calendar, under the special rule fixed for Fridays.

Mr. CORLISS. Mr. Speaker, it seems to me, under the agreement made in the House on yesterday, to vote on the adoption of the joint resolution which was discussed yesterday afternoon immediately after the reading of the Journal, that that is the special order for this morning, and is first in order.

The SPEAKER. The point made by the gentleman from Michigan is well taken. The Chair had overlooked the fact.

The Clerk will report the title of the joint resolution under consideration on yesterday.

METHOD OF ELECTION OF SENATORS.

The Clerk read the title of the joint resolution, as follows:

Joint resolution (H. Res. 28) proposing an amendment to the Constitution providing for the election of Senators of the United States.

Mr. POWERS. Mr. Speaker, I ask unanimous consent that the resolution reported by the majority, and the substitute of the minority also, be read for the information of the House. They are very short.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The joint resolution (H. J. Res. 28) and the proposed substitute were read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendments be proposed to the legislatures of the several States, which, when ratified by three-fourths of said legislatures, shall become and be a part of the Constitution, namely: In lieu of the first and second paragraphs of section 3 of Article I of the Constitution of the United States of America, the following shall be proposed as an amendment to the Constitution:

"Sec. 3. The Senate of the United States shall be composed of two Senators from each State, chosen for six years, and each Senator shall have one vote. These Senators shall be chosen by the legislatures of the several States unless the people of any State, either through their legislature or by the constitution of the State, shall provide for the election of United States Senators by direct vote of the people; then, in such case, United States Senators shall be elected in such State at large by direct vote of the people; a plurality shall elect, and the electors shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

"When vacancies happen, by resignation or otherwise, in the representation of any State, in the Senate, the same shall be filled for the unexpired term thereof in the same manner as is provided for the election of Senators in paragraph 1: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the next general election, in accordance with the statutes or constitution of such State."

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

The SPEAKER pro tempore. The Clerk will read the substitute.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, who shall be elected by a direct vote of the people thereof for a term of six years, and each Senator shall have one vote. A plurality of the votes cast for candidates for Senator shall be sufficient to elect. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures, respectively.

"When a vacancy happens, by death, resignation, or otherwise, in the representation of any State in the Senate, the same shall be filled for the unexpired term thereof in the same manner as is provided for the election of Senators in paragraph 1: *Provided*, That the executive thereof may make temporary appointment until the next general or special election, in accordance with the statutes or constitution of such State."

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

Mr. CORLISS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The Chair will first state the situation in the House. There is the original joint resolution reported from the Committee on the Election of President and Vice-President and Representatives in Congress, which has just been read. To that the gentleman from Missouri [Mr. RUCKER] has offered the substitute by way of an amendment, which is the only amendment pending to the original proposition. So that the question now is on agreeing to the amendment of the gentleman from Missouri.

For what purpose does the gentleman from Michigan rise?

Mr. CORLISS. I desired simply to have that statement made. The question being taken on the amendment proposed by Mr. RUCKER, the Speaker announced that the ayes appeared to have it.

Mr. CORLISS demanded a division.

The House divided; and there were—ayes 135, noes 30.

Mr. CORLISS. I rise to a parliamentary inquiry. If it be necessary that a two-thirds vote must be had to carry the original proposition, and this being a substitute for that original proposition, then, of course, the substitute would require the same proportion of votes.

The SPEAKER. Does the gentleman from Michigan make the point of order?

Mr. CORLISS. I certainly do.

The SPEAKER. A parliamentary inquiry which the gentleman started out with is one thing, and a point of order is quite another.

Mr. CORLISS. I make the point of order.

Mr. MAHON. It is too late to do that.

Mr. POWERS. I submit, Mr. Speaker, that already four-fifths have voted for this amendment.

The SPEAKER. The Chair holds that in voting upon an amendment it is not necessary for a two-thirds vote, although the original proposition requires it. When the House considers any amendment, it can be voted upon in the usual way; and this proposition of the gentleman from Missouri is but an amendment. When it comes, however, to the passage of the bill, then the point can be made. The Chair overrules the point made by the gentleman from Michigan at this time.

Mr. CORLISS. Will the Chair permit a question?

The SPEAKER. The Chair has decided the matter.

Mr. CORLISS. Then I ask the yeas and nays.

Several MEMBERS. Too late.

The SPEAKER. The gentleman from Michigan asks the yeas and nays.

The yeas and nays were not ordered, 9 members only rising in favor thereof.

The SPEAKER. The yeas have it, and the amendment is agreed to.

The question is now on the engrossment and third reading of the amended resolution.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The question recurred on the passage of the joint resolution.

Mr. RUCKER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CORLISS. Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CORLISS. I would like to inquire whether under the ruling of the Chair the original resolution has been amended by simply substituting for it that part of the resolution offered by the gentleman from Missouri, and that now we are voting on the original proposition as amended?

The SPEAKER. That is correct.

The question was taken; and there were—yeas 242, nays 15, answered "present" 4, not voting 89; as follows:

YEAS—242.

Adamson,	Cummings,	Henry, Miss.	Moon,
Alexander,	Curtis,	Henry, Tex.	Morgan,
Allen, Ky.	Cusack,	Hepburn,	Morris,
Atwater,	Cushman,	Hitt,	Mudd,
Bailey, Kans.	Daly, N. J.	Hoffecker,	Muller,
Baker,	Dalzell,	Hopkins,	Napben,
Ball,	Davenport, S. A.	Howard,	Needham,
Bankhead,	Davenport, S. W.	Howell,	Neville,
Barber,	Davidson,	Jack,	Newlands,
Barham,	Davis,	Jett,	Norton, Ohio
Bartholdt,	Dayton,	Johnston,	Norton, S. C.
Bartlett,	De Armond,	Jones, Va.	O'Grady,
Bell,	De Graffenreid,	Jones, Wash.	Olmsted,
Bellamy,	Denny,	Joy,	Otey,
Berry,	De Vries,	Ketcham,	Overstreet,
Bingham,	Dick,	Kitchin,	Packer, Pa.
Bishop,	Dinsmore,	Kleberg,	Payne,
Boreing,	Dolliver,	Kluttz,	Pierce, Tenn.
Boutell, Ill.	Dougherty,	Knox,	Pearre,
Bowersock,	Dovener,	Lacey,	Phillips,
Brantley,	Driscoll,	Lamb,	Powers,
Breazeale,	Eddy,	Lanham,	Prince,
Brewer,	Elliott,	Latimer,	Pugh,
Brick,	Finley,	Lawrence,	Quarles,
Bromwell,	Fitzgerald, Mass.	Lentz,	Reeder,
Brosius,	Fitzpatrick,	Levy,	Rhea, Ky.
Brown,	Fleming,	Lewis,	Rhea, Va.
Brownlow,	Foss,	Linney,	Richardson,
Bull,	Foster,	Littauer,	Ridgely,
Burke, S. Dak.	Fowler,	Little,	Rixey,
Burleson,	Gamble,	Livingston,	Robb,
Burton,	Gardner, Mich.	Lloyd,	Roberts,
Caldwell,	Gayle,	Long,	Robinson, Ind.
Capron,	Gibson,	Loudenslager,	Robinson, Nebr.
Carmack,	Gill,	McAleer,	Rucker,
Catchings,	Glynn,	McCleary,	Ryan, N. Y.
Chanler,	Graff,	McClellan,	Ryan, Pa.
Clark, Mo.	Graham,	McCulloch,	Scudder,
Clarke, N. H.	Green, Pa.	McDowell,	Shackelford,
Clayton, Ala.	Greene, Mass.	McRae,	Shafroth,
Clayton, N. Y.	Griffith,	Maddox,	Shattuc,
Cochrane, N. Y.	Griggs,	Mahon,	Shelden,
Cooney,	Grosvenor,	Marsh,	Sheppard,
Cooper, Wis.	Grout,	Meekison,	Showalter,
Corliss,	Grow,	Mercer,	Sibley,
Cousins,	Hall,	Mesick,	Sims,
Cowherd,	Hamilton,	Miers, Ind.	Slayden,
Cox,	Haugen,	Miller,	Small,
Cromer,	Hawley,	Mondell,	Smith, Ill.
Crump,	Heatwole,	Moody, Mass.	Smith, Ky.
Crumpacker,	Hemenway,	Moody, Oreg.	Smith, H. C.

Smith, Samuel W. Stewart, Wis.
 Smith, Wm. Alden Stokes,
 Snodgrass, Sulloway,
 Southard, Sulzer,
 Spalding, Sutherland,
 Spight, Swanson,
 Stark, Talbert,
 Steele, Tate,
 Stephens, Tex. Tawney,
 Stevens, Minn. Taylor, Ala.

Terry,
 Thomas, N. C. Turner,
 Underwood,
 Vandiver,
 Van Voorhis,
 Warner,
 Waters,
 Weeks,
 Wheeler, Ky.

White,
 Williams, J. R.
 Williams, W. E.
 Williams, Miss
 Wilson, N. Y.
 Wilson, S. C.
 Zenor,
 Ziegler.

NAYS—15.

Allen, Me.
 Burleigh,
 Calderhead,
 Fordney,

Gardner, N. J.
 Hedge,
 Henry, Conn.
 Lane,

Lester,
 Littlefield,
 McPherson,
 Mann,

Russell,
 Sperry,
 Thomas, Iowa.

ANSWERED "PRESENT"—4.

Gaines,

Gaston,

Gillett, Mass.

Hill.

NOT VOTING—89.

Acheson,
 Adams,
 Aldrich,
 Allen, Miss.
 Batcock,
 Bailey, Tex.
 Barney,
 Benton,
 Boutelle, Me.
 Bradley,
 Brenner,
 Broussard,
 Brundidge,
 Burke, Tex.
 Burnett,
 Butler,
 Campbell,
 Cannon,
 Cochran, Mo.
 Connell,
 Cooper, Tex.
 Crawford,

Crowley,
 Dahle, Wis.
 Davey,
 Driggs,
 Emerson,
 Esch,
 Faris,
 Fitzgerald, N. Y.
 Fletcher,
 Fox,
 Freer,
 Gilbert,
 Gillet, N. Y.
 Gordon,
 Hay,
 Hull,
 Jenkins,
 Kahn,
 Kerr,
 Landis,
 Lorimer,
 Loving,

Lybrand,
 McCall,
 McLain,
 May,
 Metcalf,
 Meyer, La.
 Minor,
 Noonan,
 Otjen,
 Parker, N. J.
 Pearce, Mo.
 Polk,
 Ramsdell,
 Ray,
 Reeves,
 Riordan,
 Robertson, La.
 Rodenberg,
 Ruppert,
 Salmon,
 Sherman,
 Sparkman,
 Sprague,

Stallings,
 Stewart, N. J.
 Stewart, N. Y.
 Taylor, Ohio
 Thayer,
 Thropp,
 Tompkins,
 Tongue,
 Underhill,
 Vreeland,
 Wachter,
 Wadsworth,
 Wanger,
 Watson,
 Weaver,
 Weymouth,
 Wilson, Idaho
 Wise,
 Wright,
 Young.

So (two-thirds of a quorum voting in favor thereof) the joint resolution was passed.

The Clerk announced the following pairs:

For this session:

Mr. HULL with Mr. HAY.

Until further notice:

Mr. GRAFF with Mr. BRUNDIDGE.

Mr. BARNEY with Mr. ALLEN of Mississippi.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. REEVES with Mr. SPARKMAN.

Mr. TOMPKINS with Mr. CROWLEY.

Mr. ESCH with Mr. BAILEY of Texas.

Mr. TAYLER of Ohio with Mr. FOX.

Mr. BOUTELLE of Maine with Mr. COCHRAN of Missouri.

Mr. GILLET of Massachusetts with Mr. THAYER.

Mr. HAWLEY with Mr. COOPER of Texas.

Mr. WEYMOUTH with Mr. BROUSSARD.

Mr. BURKETT with Mr. BURKE of Texas.

Mr. LYBRAND with Mr. GASTON.

For two weeks:

Mr. STEWART of New York with Mr. MAY.

To and including April 20:

Mr. OTJEN with Mr. BRENNER.

Until April 21:

Mr. ALDRICH with Mr. BURNETT.

For balance of week:

Mr. HILL of Connecticut with Mr. UNDERHILL.

Until Monday:

Mr. GILLET of New York with Mr. CAMPBELL.

Mr. SHERMAN with Mr. DRIGGS.

Until Monday next, at 2 o'clock:

Mr. BUTLER with Mr. RUPPERT.

For one week:

Mr. MCCALL with Mr. GAINES.

For this day:

Mr. JENKINS with Mr. ROBERTSON of Louisiana.

Mr. STEWART of New Jersey with Mr. FITZGERALD of New York.

Mr. BABCOCK with Mr. RIORDAN.

Mr. ACHESON with Mr. NOONAN.

Mr. YOUNG of Pennsylvania with Mr. GORDON.

Mr. DAHLE of Wisconsin with Mr. BRADLEY.

Mr. GAINES. Mr. Speaker, I am paired with the gentleman from Massachusetts, Mr. MCCALL. I desire to withdraw my affirmative vote for that reason and to be counted "present."

Mr. DAYTON. I am paired with the gentleman from Louisiana, Mr. MEYER, but have voted in the affirmative on this question. I am informed, and have no doubt, that if General MEYER were present, he would vote in the affirmative also. Therefore I have concluded to let my vote stand, with this explanation.

Mr. MCCULLOCH. Mr. Speaker, my colleague, Mr. BRUNDIDGE, is sick and confined to his room, and I ask that he be excused for to-day.

The SPEAKER. That can not be done at this stage of the proceedings.

Mr. ADAMSON. I desire to know if the gentleman from Pennsylvania, Mr. WANGER, has voted?

The SPEAKER. He has not.

Mr. ADAMSON. I desire to state that I had an arrangement with him to-day for a pair, but the gentleman has come in, and with his consent I allow my vote to stand.

Mr. SMALL. I am paired with the gentleman from Maryland. Mr. WACHTER. I am informed that if he were present, he would vote "aye," and therefore I have voted "aye."

The SPEAKER. The gentleman leaves his vote as it is?

Mr. SMALL. Yes.

The result of the vote was announced as above recorded.

NICARAGUA CANAL.

Mr. HEPBURN. Mr. Speaker, I ask unanimous consent that on Tuesday, the 1st day of May, the bill H. R. 2538, a bill to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans, be made the special order, and that it be taken up for consideration immediately after the approval of the Journal.

The SPEAKER. The gentleman from Iowa asks unanimous consent that House bill 2538 be made the special order for Tuesday, May 1. Is there objection?

Mr. BURTON. I object, Mr. Speaker.

Mr. TERRY. Who objected?

The SPEAKER. Objection is made.

Mr. WILLIAMS of Mississippi. Who objected?

The SPEAKER. The gentleman from Ohio.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3535. An act for the relief of Brooklyn Ferry Company, of New York; and

S. 3488. An act to amend an act fixing the fees of jurors and witnesses in United States courts in certain States and Territories.

The message also announced that the Senate had passed without amendment the bill (H. R. 4696) granting an increase of pension to Ruthven W. Houghton.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 2356. An act for the relief of Hiram Johnson and others; and

H. R. 2456. An act for the relief of the heirs of Philip McLoskey and John Hagan.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3488. An act to amend an act fixing the fees of jurors and witnesses in the United States courts in certain States and Territories—to the Committee on the Judiciary.

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar under the special rule.

The SPEAKER. The gentleman from New Hampshire moves that the House resolve itself into Committee of the Whole for the consideration of private pension bills. Pending that, the Chair desires to announce that the gentleman from Iowa [Mr. HEPBURN] will act as Speaker for the balance of this day.

The motion to go into Committee of the Whole was agreed to. The House accordingly resolved itself into Committee of the Whole House, Mr. CAPRON in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of private pension bills under the rule. The Clerk will report the first bill.

CORA I. CROMWELL.

The first business on the Private Calendar was the bill (H. R. 1737) to grant a pension to Cora I. Cromwell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Cora I. Cromwell, of Green Lake County, Wis., daughter of George Cromwell, late private, Company I, Thirty-first Regiment Wisconsin Infantry Volunteers, and pay her a pension of \$12 per month.

The amendments recommended by the committee were read, as follows:

After the word "roll," in line 4, insert the words "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "of Green Lake County, Wis.;" in the same line, before the word "daughter," insert the word "helpless."

In line 6 strike out the word "private" and insert in lieu thereof the word "of."

In line 7 strike out the word "Volunteers;" and in the same line, before the word "Infantry," insert the word "Volunteer."

In line 8, after the word "pension," insert the words "at the rate."

Mr. TALBERT. Mr. Chairman, I do not wish to say anything about the pending bill at this time. I desire to have read, in my time, a letter I received a few days ago, and a short newspaper article upon the subject of pensions.

The CHAIRMAN. The Clerk will read in the gentleman's time. The Clerk read as follows:

PITTSBURG, March 10, 1900.

DEAR SIR: I beg to inclose clipping from the Pittsburg Dispatch—newspaper of largest circulation in western Pennsylvania, and which I believe to correctly represent intelligent public opinion in this State on the question referred to.

The general pension laws are liberal enough in all conscience, and the majority of the private bills are believed to be for benefit of those who have no just claim.

Yours, truly,

A. S. M. MORGAN.

Hon. Mr. TALBERT,
House of Representatives.

AN INSTRUCTIVE SELF-EXPOSURE.

The quarrel between Representative MAHON, of this State, and TALBERT, of South Carolina, is a unique illustration of the political idea of constitutional government and legislative representation. The South Carolinian has been making himself obnoxious for demanding a quorum when special pension bills are passed. This has angered Representative MAHON to such a pitch that he denounces TALBERT on the floor of the House, and expresses the hope that in the next Congress there may be a contest of TALBERT's seat, and that he (MAHON) may "help to throw him out of the House."

The Constitution of the United States prescribes a majority of the House as "a quorum to do business," and limits the power of less than a quorum to "adjourn from day to day," and "to compel the attendance of absent members." In other words, Mr. TALBERT's offense is in insisting that the money of the country shall not be spent except by the methods which the Constitution requires. The first aspect of Mr. MAHON's wrath is that it is because he is prevented from getting special pension bills passed in violation of the Constitution, which he has sworn to maintain and uphold.

But Mr. MAHON is not satisfied with that success at self-classification. He declares that if anyone will help to set up a contest against TALBERT in the next Congress he will help to throw the obnoxious Carolinian out of the House. The little question as to what the vote of the people who are supposed to elect their Representatives may be does not at all concern Mr. MAHON. Because Mr. TALBERT has been guilty of using his right as a member to demand that business shall be done in a constitutional manner Mr. MAHON will vote to unseat him.

It would be difficult for anyone to characterize MAHON more signally than MAHON has characterized himself.

Mr. TALBERT. I desire to have another short letter read, showing the sentiment in the North in regard to my being "thrown out." It is a short letter, and I do not ask to have it read for the purpose of killing time, but to show the sentiment in the North.

Mr. PAYNE. I would like to ask the gentleman if that will entirely clear up his record, so that we can go on with the business of the House a little?

Mr. TALBERT. I did not catch what the gentleman said.

Mr. PAYNE. I want to inquire if that will entirely clear up the record of the gentleman from South Carolina, so that the House can proceed with its business?

Mr. TALBERT. "The gentleman's record" is perfectly clear; but I wanted to take care of the Republicans, for fear they will be lost, and to satisfy my friend from Ohio; but I do not think I can save them.

Mr. PAYNE. I do not know but what I ought to object if that is the theory.

Mr. GROSVENOR. When I want a savior, I will make my own selection. [Laughter.]

Mr. TALBERT. I will not reply, as I did not catch what the gentleman said. I ask that the letter be read, because the gentleman is joined to his idols.

The Clerk read as follows:

BUCYRUS PUBLIC SCHOOLS, March 24, 1900.

KIND SIR: May you live long—

[Laughter.]

and enjoy a happy life; and we of the North hope your people in South Carolina will return you to Congress, for such a noble man as you certainly deserves great praise—

[Great laughter.]

for performing your duty so faithfully at the Capitol of the United States for the people.

"A government of the people, for the people, by the people."—A. L.

Very respectfully,

HIRAM K. SMITH,

231 North Sandusky avenue, Bucyrus, Ohio.

Hon. W. JASPER TALBERT,
House of Representatives, Washington, D. C.

Mr. TALBERT. Now, Mr. Chairman, so much for that. These speak for themselves. [Laughter.] I wish to say a few Fridays ago we had what is known as private-claim day, to consider bills from the Committee on Claims. Well, I believe during that day there were six or seven claims passed. The reports were read on every occasion. The bills were discussed, which ought to have been done; they were criticised and scrutinized, and six of them were passed. I suppose it was right and they ought to have passed. The next Friday was the day for the consideration of bills from the Committee on War Claims, of which my distinguished friend from Pennsylvania [Mr. MAHON] is chairman. I believe there were three or four bills, if I am not mistaken, passed through at that time. They were cussed and discussed all day long, and the reports were read.

Now, the point I want to make is that I think, in consideration of claims from the Committees on Pensions, the reports accompanying the bill in every case ought to be read, so that the House can vote intelligently upon the claims at issue. I do not believe that these bills ought to be poured like corn into a hopper and run through without any consideration, without any criticism, and without any scrutiny. I shall therefore ask in every case that the report accompanying the bill be read. I hope the report accompanying the bill which has just been reported will be read in the hearing of the House. I ask for the reading of the report.

The CHAIRMAN. The Clerk will read the report.

The report (by Mr. MINOR) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1737) to grant a pension to Cora I. Cromwell, submit the following report: George F. Cromwell, the soldier named in this bill, served as a private in Company I, Thirty-first Regiment Wisconsin Volunteer Infantry, from February 18, 1864, to March 19, 1865, when he was wounded in action, and died of such wounds in hospital at Goldsboro, N. C., on March 23, 1865.

His widow, who married him January 5, 1860, was pensioned at \$8 per month from the time of the soldier's death to the date of her remarriage, on September 16, 1866, and in 1870 the three minor children of the soldier, of whom the beneficiary named in the bill was one, were also pensioned from the date of the remarriage of their mother to January 27, 1890, when the youngest child became 16 years of age, and pension ceased by operation of law.

Cora I., the beneficiary named in this bill, was born October 15, 1860, and she applied for continuance of her pension under the act of June 27, 1890, by reason of helplessness, and filed proof showing that in 1884 her left arm was amputated because of cancer of the wrist joint; that in 1891 she was operated upon again for a disease peculiar to females; that since that time she has suffered from disease of the kidneys, confined to the bed quite often, and unable to perform any labor whatever.

A medical examination of the beneficiary made July 15, 1890, under the claim named above, disclosed amputation of the left arm, 3 inches below the elbow joint, muscles of the right arm soft and flabby, catarrh of bladder, with bloody urine, and prolapsus of rectum; and the examining surgeon then stated that he did not consider her able to earn her own living.

Her claim, however, was rejected by the Pension Bureau October 23, 1896, upon the ground that she had not been helpless at and prior to the time when she became 16 years of age, hence the act of June 27, 1890, could not apply.

There has been filed with your committee the sworn statement of the beneficiary, to the effect that she first became physically unable to earn a living in 1884 by a swelling in the wrist of her left arm; that amputation of the arm became necessary in October, 1884; that shortly thereafter she had inflammation of the bladder and female troubles, which afflicted her ever since; that in September, 1891, she had to submit to an operation to remove the ovaries; that in 1897 she was operated upon for femoral hernia, and again later on; that by reason of her physical debility and suffering she is unable to earn her living; that her mother is again a widow and unable to maintain or support her; that for the last fifteen years she has been principally supported and maintained by friends.

Medical testimony has also been filed fully corroborating the claimant's statements as to the operations performed and as to her present physical condition, and the same is fully set forth in the affidavit of Dr. G. D. Ladd, which reads as follows:

To whom it may concern:

I hereby certify that Miss Cora I. Cromwell, of Berlin, Wis., has been a patient of mine and under my care, at times, since May, 1897, and until the present time. I operated upon her for ventral hernia on May 12, 1897, and she remained at the hospital and under my immediate care until May 30, 1897. She also at that time suffered from chronic inflammation of the bladder and a tumor (papilloma) of the bladder.

On the 19th day of October, 1897, she returned to the hospital in this city and remained under my care for treatment of inflammation and tumor of the bladder until December 23, 1897. She was in very poor health, and suffered very severely from the disease mentioned, and the ventral hernia (rupture) had returned. She returned to the hospital at frequent intervals for treatment until on June 1, 1899, I again operated for adhesions within the abdomen and for hernia.

Since the last operation she has been, at intervals, in the hospital for treatment for disease of the bladder and general ill health, until October, 25, 1899. She has been in the hospital and under my care, in all, fifteen different times since May, 1897. From my knowledge of her physical condition I find that she is so wholly broken down as to be unable to do any work, either now or in the future.

G. D. LADD, M. D.

MILWAUKEE, WIS., February 9, 1900.

EASTERN DISTRICT OF WISCONSIN, ss:

Personally appeared before me George D. Ladd, M. D., who, being by me duly sworn, deposes and says that the foregoing affidavit, subscribed by him, is true to the best of his knowledge and belief.

[SEAL.]

EDWARD KURTZ,

Clerk United States District Court, Eastern District of Wisconsin.

The Hon. Mr. DAVIDSON, a member of this House, has filed a statement showing that, to his personal knowledge, the beneficiary is without means of support, having no property of any kind, and no one being legally bound to support her, and that she is practically entirely helpless.

As no one is now drawing any pension on account of the services and death of this soldier, your committee believes that relief by Congress is fully warranted for this helpless daughter of the soldier; and the passage of the bill is recommended after the same shall have been amended as follows:

After the word "roll," in line 4, insert the words "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "of Green Lake County, Wis.;" in the same line, before the word "daughter," insert the word "helpless."

In line 6 strike out the word "private" and insert in lieu thereof the word "of."

In line 7 strike out the word "Volunteers;" and in the same line, before the word "Infantry," insert the word "Volunteer."

In line 8, after the word "pension," insert the words "at the rate."

Amend the title so as to read: "A bill granting a pension to Cora I. Cromwell."

During the reading of the above report

Mr. TALBERT said: I ask that the further reading of the report be dispensed with.

I want to call the attention of the House and committee to the fact that in this case the committee have been honest, as they have been in all these cases, in saying in the report that the claimant has no pensionable status at the Pension Bureau, and that after she had received a pension up to the age of 16 years, as I understood, she became afflicted. Now, on account of affliction that has overtaken her ten years after she had received a pension up to 16 years of age, the committee have, on account of her general poverty, reported that she ought to receive a pension. Now, that is the condition. If this House is willing to give a pension to people who are utterly outside of the pale of the pension law because they are poor, why they can continue to do it; but it seems to me that all the States and all the counties have almshouses and poor-houses that are able to take care of people of this class. You will find poor people all over the country.

Now, in most of these cases which I have looked over I think that the committee is honest enough to state that the applicants are not entitled to a pension under any laws, liberal as they are. I only wanted to call the attention of the House to this fact.

Mr. SULLOWAY. This girl was not entitled to a pension because she was not destitute and helpless the moment she became 16 years of age. She did become helpless, absolutely so, unable to do anything for herself, a short time after she became 16; and the committee recommended the pension. The gentleman from South Carolina talks about there being no law for it. If she was entitled to a pension under existing law, we should not bring this bill here. This is a good case, a deserving case, and the bill ought to pass.

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELIJAH BIDDLE.

The next business on the Private Calendar was the bill (H. R. 1801) granting a pension to Elijah Biddle.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elijah Biddle, late a private in Company E, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension of \$50 a month in lieu of the pension he is now receiving.

Mr. TALBERT. Mr. Chairman, I have here a letter which I received a few days ago, and although it has no direct bearing on this bill, it has upon bills of a similar kind. It is from a gentleman in Maine, and I desire to have it read in my time.

The Clerk read as follows:

NORTH BRADFORD, ME., March 31, 1900.

DEAR SIR: I see by the papers that Congress last Friday passed 142 private pension bills. Now I and thousands of other old soldiers protest against this wholesale private pension business. Any coffee cooler or bumner, who has a political pull or can get up a big petition can get a big pension, while others, ever so worthy, have to take whatever the Pension Bureau gives them.

I believe that that is where all claims should be settled and that Congressmen should find other business to attend to but tumbling over each other in passing claims, many of which are fraudulent.

I see that George M. Brown, of Bangor, Me., has been voted a pension of \$40 a month. Now I do not doubt but what Brown was a good soldier, but why should he be entitled to more than any other soldier who is rated the same? It is claimed that he is poor, yet he has a house worth \$1,200 and some money in the bank.

Now, Mr. Congressman, I served in the Union Army four years. I enlisted in April of 1861 and was discharged in September of 1865. I carried a musket three years and then was commissioned. I was wounded three times and have been a physical wreck for the last thirty years. I have ever been treated fair by the Government and have no fault to find with the Pension Department. I have a medal of honor that I received from Congress, but I am not as lucky as Major Brown. My house is not worth \$1,200, neither have I any bank stock. From the effect of my wounds and heart trouble, I can do no work or business.

There is a man living in an adjoining town that was with me in the First Maine Heavy Artillery, who came home as sound and well as when he went to war, and continued so till a few years ago, when he got hurt by a vicious horse which he was handling for a neighbor. He has been getting \$30 a month; has a good property and money to let when he can get 10 per cent interest. He was not satisfied with what he was getting, but by a special act he got it increased to fifty.

Now, I think this Congressional pension bureau is all wrong, and the old boys are sore over the way pensions are ground out.

Please excuse me for thus addressing you, but I saw that you did not believe in the grab business, and thought I would write you how we old fellows feel about it.

Truly, yours,
A. J. KNOWLES,
Late Captain, Company D, First Maine Heavy Artillery,
North Bradford, Me.

Hon. Mr. TALBERT.

Mr. SIMS. Are not these two cases ones in which I moved to amend?

Mr. TALBERT. These letters are samples of hundreds that I have home in my desk. I do not propose to bring forward any more of them to have read and take up the time of the committee. I only put these forward as samples. I want to emphasize this point, that it seems to me the committee does not scrutinize as closely as they ought the statements of these applicants as to their property and means of support. Here is this man, the owner of bank stock and a house worth \$1,200. Now, I ask for the reading of the report in this case. This is almost similar to the one referred to in the letter. I ask for the reading of the report. This bill seeks to raise this man's pension from \$12 to \$30. It may be that he has more property than the man referred to in the letter that has just been read, and only shows what I am contending for—that unjust claims are being allowed by the committee.

The Clerk read the report, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3655) granting a pension to Elijah Biddle, submit the following report:

This soldier, who is now 57 years of age, served as a private in Company E, Thirty-seventh Regiment Ohio Volunteer Infantry, from June 2, 1862, to October 3, 1862, when mustered out with his company, and enlisted again as a private in Company E, Second Regiment Ohio Heavy Artillery, July 1, 1863; was taken prisoner of war at Sweetwater, Tenn., February 16, 1865; paroled April 2, 1865, and mustered out on detachment muster-out roll on June 14, 1865. He is now a pensioner under the act of June 27, 1890, at \$12 per month for total inability to earn a support by manual labor by reason of impaired sight, which pension was allowed in lieu of one under the general law of \$4 per month formerly granted to him on account of chronic diarrhea of service origin.

In the claim under the general law filed June 25, 1880, in which chronic diarrhea was set up as a disabling cause of service origin, the soldier also claimed pension on account of a severe injury to his left side, fracturing the collar bone and two ribs, alleged to have been received near Fort Boyle, Ky., about April 1, 1864, by his horse falling while on detached service as drillmaster at said fort, and in July, 1890, he claimed on account of another disability, namely, loss of sight.

These claims were rejected January 12, 1894, upon the ground of no record and no proof of origin in line of duty, and claimant's declared inability to furnish such proof.

The claimant alleged that he was left at Fort Boyle with one George F. Race, as drillmasters; that the garrison consisted of a colored company; that he did not know any of the officers, and that he was treated for the injuries by a private physician, Dr. Young, who lived near the fort, and that he was unable to find or locate his comrade, Race, who was present when he was injured.

A comrade of the soldier, who testified to the origin of diarrhea, stated to a special examiner of the Bureau that when the company left Fort Boyle the beneficiary and Race were left behind; that shortly thereafter some of the boys in the company got a letter from Race stating that the claimant had been thrown from a mule, and thereby broke his collar bone and two ribs; and the claimant filed proof that while at home on furlough, after having been paroled, he suffered from said injuries, and continued so to suffer since his discharge.

He admitted his inability to file any proof as to the origin of his eye trouble, and stated that while his eyes were somewhat affected before the service the disease steadily increased as a result of his army service.

Medical examinations beginning in 1882 found fracture of the left clavicle, for which the surgeons rated him \$4, but no fracture of ribs; and the last certificate of medical examination, made on August 18, 1897, rated him \$12 for rheumatism; nothing for diarrhea; \$4 for the fracture, and \$30 for impaired sight due to extreme myopia, and the surgeons then stated that the soldier was just able to get about with the aid of a powerful double concave lens.

Medical testimony filed with your committee shows that the claimant is now suffering from myopia to such an extent as to be almost completely blind; that by reason of this and general debility, due to an attack of pneumonia and various other sicknesses, he is unable to do any work whatever; that with double concave glasses at 3 feet he could recognize a man as an object only, but could not see irregularities in the ground, and that at 60 feet he could not see anything.

The circumstances under which the special examiner of the Pension Bureau obtained the information as to the receipt of the fracture by the beneficiary leads this committee to believe that full faith and credit should be given to such statement; and there is also no doubt in the minds of your committee that the preexisting myopia was aggravated by exposures in the service; and inasmuch as the beneficiary is now practically blind, a pension of \$30 per month seems to be fully warranted under the circumstances; and hence the passage of the bill is recommended after the same shall have been amended as follows:

In line 6 strike out the word "a;" in the same line strike out the word "in."

In line 8, before the word "of," insert the words "at the rate."

Strike out the word "fifty," in line 8, and insert in lieu thereof the word "thirty."

In line 8 strike out the words "the pension" and insert in lieu thereof the word "that."

Amend the title so as to read: "A bill granting an increase of pension to Elijah Biddle."

Mr. TALBERT. Now, Mr. Chairman, I would like to ask the chairman of the committee if he has any affidavit as to the pecuniary or financial condition of this applicant?

Mr. SULLOWAY. This man is now 57 years old, is totally unable to support himself by labor by reason of the impaired sight, and the special examiner reported that his statements were entitled to the utmost credit.

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARGARET BURNS.

The next business on the Private Calendar was the bill (H. R. 3655) granting a pension to Mrs. Margaret Burns, as widow of Peter Burns, late of Company F, Twenty-third Regiment Illinois Volunteer Infantry, in the war of the rebellion.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Burns, as widow of Peter Burns, late of Company F, Twenty-third Regiment of Illinois Infantry Volunteers, in the war of the rebellion.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report.

The Clerk read the report, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3655) granting a pension to Mrs. Margaret Burns, as widow of Peter Burns, late of Company F, Twenty-third Regiment Illinois Volunteer Infantry, in the war of the rebellion, submit the following report:

Peter Burns, the soldier named in this bill, served as a private in Company F, Twenty-third Regiment Illinois Volunteer Infantry, from April 23, 1861, to October 8, 1861, when discharged by reason of having been a paroled prisoner of war.

He never applied for pension under any law granting pensions to soldiers.

Margaret Burns, the beneficiary named in this bill, and now 75 years of age, applied for pension as the widow of the soldier under the act of June 27, 1890, alleging that her husband died in 1876, leaving her as his widow, and that she is without other means of support than her daily labor.

This claim was specially examined, and was rejected June 8, 1893, and March 9, 1894, after such special examination, upon the ground that the presumption of soldier's death was not warranted by the facts elicited on such special examination; and this rejection was affirmed by Assistant Secretary Reynolds under date of September 6, 1894, in the following language:

"* * * The appellant and the soldier were married in England in 1849, and had eight children, but two of which are now living. After their emigration to this country he was in employment as a coal miner, and in following his vocation frequently left her, seeking work in other places. He does not appear to have had any permanent residence at any time, leaving with no expressed intention as to his destination or his return, rarely or never communicating with appellant during his absence, and generally returning to her only when she was able otherwise to learn his whereabouts and requested him to do so or went to him instead. She followed him up in this manner many times and during many years throughout Virginia, Kentucky, Ohio, Indiana, and Illinois. While they were at Springfield, Ill., he enlisted in the Army, unknown to her, in April, 1861, and was discharged in October of the same year; but she did not learn his whereabouts or see him again until about the close of the war, when he came to her at Cincinnati, Ohio, stayed two days, and then returned to his work in the coal mines of Virginia.

"He left her finally 'on St. Patrick's day,' in 1874, while they were living in Bowersville, Ill., since which time she has not seen or heard from him nor of him except once through her son, who (as he testifies herein) was told about 1880 by an old friend of his father that he had heard of his death near Des Moines, Iowa, where he was working in a coal mine, but he stated no particulars further, as the train he was leaving on started and stopped the conversation; that this friend's address he did not know, and he being then an old man, said son believes him to be now deceased. This evidence as to the fact of death, however, is too uncertain, indefinite, and remote to be relied upon to any extent.

"After the soldier last left appellant as aforesaid, she removed about July 1, 1874, to Danville, Ill., where she remained about a year, and then went to New Burnside, Ill., where she lived with her daughter until she came to Murphysboro, Ill., her present home, in 1892.

"The soldier never applied for pension. Appellant testifies he was somewhat but not excessively addicted to drink. Another witness testifies he drank considerably, and when in this condition was quarrelsome and abusive. If now living, he would be about 64 years of age.

"It is considered by the Department that the facts shown do not raise a legal presumption of the soldier's death, as they reasonably account otherwise for his absence. The action is therefore affirmed."

Subsequent to such rejection the beneficiary invoked the provisions of the act of March 13, 1896; but the claim was again rejected by the Pension Bureau, August 30, 1897, upon the ground that the presumption of death could not obtain under said act of March 13, 1896; and this action was again affirmed by the Assistant Secretary of the Interior, Webster Davis, under date of January 30, 1899, no new evidence or additional facts having been filed or submitted as to the soldier's leaving his home and the claimant, or tending in any way to show his death, since the departmental decision of September 6, 1894, in the case.

Proof has been filed in the Pension Bureau to the effect that the claimant has not remarried since her husband left her last in 1874; that she has no property of any kind; that she is quite old and feeble, unable to make a living, and dependent upon the charity of friends.

In view of the fact that twenty-six years have elapsed since the soldier was last seen or heard from, the soldier having never applied for pension, either under the general law or under the act of June 27, 1890, under which last-named law he undoubtedly would have title by reason of age alone, your committee are of the opinion that the death of the soldier should be presumed, and that the beneficiary should be granted the relief sought for in the bill, and the passage of the same is recommended after it shall have been amended as follows:

In line 6 strike out the word "as" before the word "widow."

In line 7 strike out the word "of" before the word "Illinois." In the same line strike out the word "Volunteer;" and in the same line, before the word "Infantry," insert the word "Volunteer."

In line 8 strike out the words "in the war of the rebellion" and insert in lieu thereof the words "and pay her a pension at the rate of \$8 per month, such pension, however, to cease upon proof that the soldier is still living."

Amend the title so as to read: "A bill granting a pension to Margaret Burns."

Mr. TALBERT. Now, Mr. Chairman, here is a claim to pension a woman who says she has no husband, but there is no evidence that she is a widow. Notwithstanding what the committee

says in the report, here is an applicant for a pension on the ground that she is a widow, and no evidence has been adduced showing that she is really a widow. I submit that we ought not to pass such a claim as this, and I therefore move that this bill be laid aside with the recommendation that it do lie on the table.

Mr. GRAFF. Mr. Chairman, I do not think the statement made by the gentleman from South Carolina [Mr. TALBERT] is warranted by the facts. This woman was married to her husband in 1849, in England, and in 1874, on St. Patrick's Day, at Bowersville, Ill., he left her. The only reason that the evidence was not considered sufficient before the Bureau and on appeal was because the evidence did not follow the usual common-law requirement that he left her under such circumstances as would not be explainable, but adopted the theory that he might return. The rule in cases at common law is, when applied to the evidence, that the circumstances must show that he was not likely to return if living. That is the only phase of this proof that is absolutely not made complete. Nothing has been heard of the soldier since 1874, and they were married in 1849.

Mr. ALEXANDER. Is the soldier getting a pension?

Mr. SULLOWAY. No.

Mr. TALBERT. There is no positive evidence adduced that he is dead or that she is a widow. She is claiming a pension as a widow when nobody knows whether she is a widow or not.

Mr. BARTLETT. I understand it to be a rule of the Pension Bureau that in these cases they do not recognize the common-law rule that prevails in all States in the Union, that an absence of seven years unaccounted for raises a prima facie presumption that the man is dead. Now, the Pension Bureau refuses to recognize that rule, I understand; do they not?

Mr. GRAFF. I think the Bureau does recognize that principle of evidence.

Mr. BARTLETT. No; I know of a case in my own city of a widow absolutely helpless, without any money, and the pension was refused merely upon that ground. The attention of the Office was called to the decision of the Supreme Court of the United States my myself to the fact that this husband has been absent fourteen years, but because she could not demonstrate absolutely that he was dead by some one who actually saw him dead or saw him die she was refused and had to do without a pension.

Mr. GRAFF. That may be true.

Mr. BARTLETT. I do not think the ruling of the department is correct. And if the effect of this bill is simply to pension a widow whose husband has been absent and unaccounted for during the length of time that appears in this case, I think we ought to pass the bill. I think the Pension Bureau ought in cases of this kind to follow the rule which is recognized at common law and also by the Supreme Court of the United States and by statutes and decisions in the several States. It seems to me that a widow whose husband is shown by ordinary testimony to have been absent for so great a number of years and unaccounted for should not be compelled to resort to this House in order to get a pension.

I did not rise for the purpose of opposing the gentleman's bill. From all that I understand, it is a meritorious bill and ought to pass; but I believe that the Pension Bureau ought not to compel widows who are in the position in which this widow appears to be to resort to the aid of Congressmen in order to get a private pension bill through here, when the Pension Bureau, if it would follow the well-known and accepted rules of law, would grant a pension and save Congress from the necessity of such private legislation.

Mr. GRAFF. Mr. Speaker, I will say in reply to the gentleman from Georgia [Mr. BARTLETT] that, as I understand, the Bureau recognizes the common-law rule on this subject. Under that rule, as gentlemen here are aware, one of the elements necessary to be shown—

Mr. BARTLETT. The Pension Bureau ought to be bound by the rule which the Supreme Court of the United States has recognized.

Mr. GRAFF. As I was about to say, one element of proof necessary under the common-law rule is that the absence shall be unexplainable. This is the point where claimants usually fail down and fail to make satisfactory proof. In this case, however, it seems to me that the long absence of the husband, and the fact that one of the sons testifies that he heard of the death of his father in 1880, and the further fact that this man and woman were married in 1849 and lived together until 1874, would tend to show that the failure of the husband to return to his wife during this lapse of years raises a strong presumption of his death.

Mr. ALEXANDER. Why is the fact of the apparent abandonment of the wife unexplainable?

Mr. GRAFF. Well, the fact that the husband had left his wife on several occasions, and that he was addicted to drink, left room for the Pension Bureau to say that it had not been shown that his absence was unexplainable and could not be accounted

for on any other theory than that he was dead. That was the point in this case—simply a technical point. I think the bill ought to pass.

Mr. SMITH of Illinois. Mr. Chairman, for the benefit of the House I wish to say that I am perfectly familiar with this case. Mrs. Burns is a resident of my home town. She is an old lady, 75 years of age. The facts of the case are fully shown in the report. She made application for a pension under the act of June, 1890, and since I have been in Congress I have personally looked after her case. I went to the Department, I had the evidence all examined, and I made a personal statement of the condition of the claimant and her standing in the community; but the claim was rejected. Of course she has never been able to prove absolutely that her husband is dead. If she were able to do that she would be entitled to a pension under the act of June, 1890. But her husband has been absent over twenty-six years and unheard of during all that time.

There were born to this lady during the time she and her husband lived together eight children. She has struggled along as best she could to support those children and to raise such of them as are now living. She and her husband lived together from 1849 up to the time he left her, twenty-six years ago. He was a miner and at different times left home to seek work, not abandoning his wife at all, but, as the evidence shows, and as was shown to the Department, for the purpose of finding work as a miner at different places. When thus seeking work he would be gone for a time and his wife would not hear from him, but he would return. They would go from place to place as his employment called him. Finally, twenty-six years ago, he left again, and from that time to this has never been heard from.

I know from my personal knowledge that this old lady has made every effort that was possible to learn the whereabouts of her husband or whether he was dead. She has advertised time and again in the St. Louis papers and other papers. She has inquired by letter and otherwise of every person that she thought would have any knowledge whatever of her husband.

Mr. GRAFF. Is it not true—it seems to me it is, according to my recollection of the case—that the special examiner, in reporting to the Bureau the result of his examination of this case in the field, stated that in his opinion this soldier was dead?

Mr. SMITH of Illinois. Yes, sir; that was the statement of the special examiner as his opinion on the examination.

Now, the fact remains, Mr. Chairman, that at no time has this soldier ever applied for a pension. Considering that he would be now, if living, about 75 years of age, we naturally presume that if living he would have applied for a pension at some time during the last twenty-six years. And I consider that fact alone as very strong evidence of the death of the soldier many years ago.

Mr. GAINES. The presumption of law would be that he died long since. Any court of equity would so hold under the circumstances.

Mr. SMITH of Illinois. Yes, undoubtedly; but the Pension Office fails to recognize the presumption of law which is manifest in the case, and in this instance has manifestly indulged in splitting hairs, as is frequently done by that Bureau, and no remedy is left but by special bill.

This, Mr. Chairman, is as meritorious a case as has ever been presented to this body. It is as meritorious as any case that can possibly be brought before Congress under the circumstances.

Mr. GAINES. Is this an original pension?

Mr. SMITH of Illinois. Yes, sir.

Mr. GAINES. How much do you ask?

Mr. SMITH of Illinois. The committee recommend \$8 a month, the amount she would be entitled to under the act of June, 1890, if she could prove that her husband was actually dead.

Mr. GAINES. And this soldier served in the civil war?

Mr. SMITH of Illinois. Yes, sir.

I ask a vote.

Mr. TALBERT. Mr. Chairman, the statements which have just been made show precisely what I have been driving at. All I desire is to get some explanation of these bills. Now I am satisfied with the statements made, and withdraw the motion.

The CHAIRMAN. The motion of the gentleman from South Carolina having been withdrawn, the question will be taken on the amendments reported from the committee.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

SIMON PRICE.

The next business on the Private Calendar was the bill (H. R. 1943) granting an increase of pension to Simon Price.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Simon Price, late a private

in Company B, Second Iowa Volunteer Cavalry, and pay him a pension of \$30 per month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6 strike out the word "a;" in the same line strike out the word "in;" in the same line, before the word "Iowa," insert the word "Regiment."

In line 7, after the word "pension," insert the words "at the rate;" in the same line strike out the word "thirty" and insert in lieu thereof the word "twenty."

In line 8 strike out the words "the pension" and insert in lieu thereof the word "that."

Mr. TALBERT. I ask that the report be read.

The report (by Mr. GRAFF) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1943) granting an increase of pension to Simon Price, submit the following report:

A similar bill was favorably reported upon by your committee in the Fifty-fourth Congress, and the report of that committee, herewith, gives the facts in the case.

The soldier has filed no claim for increase of pension in the Pension Bureau since 1888, nor has he ever sought relief under the act of June 27, 1890.

There has been filed with your committee the sworn statement of the soldier to the effect that he is a great sufferer from rheumatism, affecting especially his right arm and left leg; that his rheumatic trouble is growing worse from year to year, until now he is so physically disabled as to make it impossible to do any work requiring the constant use of his limbs; and that as a result of scurvy contracted in the service he has lost all of his teeth.

He also filed medical testimony, showing that upon a medical examination of the soldier on February 23, 1890, rheumatism affecting the left hip joint and right elbow and all of the joints of the right hand was found; also the loss of all but four teeth, as the result of scurvy, and ulceration of the gums and tongue, and considerable impairment of speech, and inflammation of the conjunctive; also the statement of the county treasurer of Yankton County, S. Dak., to the effect that the soldier has no property belonging to him in that county or in the State; also the testimony of a neighbor of the soldier to the effect that, to his personal knowledge, the soldier has not been able to perform manual labor, except of the lightest kind, for the last ten years.

Mr. TALBERT. I hope the gentleman in charge of this measure will make some statement in regard to it, as the report is not, in my judgment, a satisfactory one and does not cover all of the points.

Mr. GAMBLE. I will state in regard to this bill that this soldier is personally well known to me and resides in my own town. He is a man with a splendid record in the Army, having served in Colonel HEBURN's regiment from Iowa. I know the facts stated in the report to be true of my own personal knowledge. By reason of scurvy he lost his teeth, nearly all of them, and is a great sufferer from rheumatism, affecting him to such an extent and growing worse from year to year, that he is physically disabled and is unable to do any work requiring constant use of his limbs. His health is impaired to such an extent that he is unfitted for almost any kind of labor. In addition to that the claimant is a very poor man, and the statement certified to, as the report will show.

In addition to that, Mr. Chairman, in the Fifty-fourth Congress the same bill was introduced and a favorable and unanimous report was made at \$30 per month upon the facts then presented to the committee. It was, however, so late in the session that no opportunity was offered to consider the bill. In the Fifty-fifth Congress it was introduced and passed the Senate at \$20 per month.

As it is disclosed here, I repeat, the evidence shows that this man is helpless, and during the past year, by fire, he has practically lost all he possessed.

I submit, sir, in view of the facts as certified to in the report, and from my own knowledge, this is a highly meritorious case and ought to be passed.

Mr. TALBERT. I have no doubt that every word the gentleman says is true, and in the report we find that the committee put all the facts before the House; they do not try to cover anything; but I do not discover in the report that his disability can be traced to service origin—that is to say, that the disability can not be traced, as the law requires, to service origin—and yet the committee authorize the increase.

Mr. SIMS. I would like to ask the chairman of the committee a question to see if I understood him correctly in his statement. Has there been any application for increase of pension at the Bureau?

Mr. GAMBLE. There was, and it was rejected in 1895. In 1896 a special bill was introduced in the Fifty-fourth Congress for his relief.

Mr. SIMS. I understood the report to say that he had made no application for increase since 1888.

Mr. GAMBLE. But that was pending until 1895, and was not rejected until that time.

Mr. SIMS. On what ground was it rejected?

Mr. GAMBLE. I do not know that I can state.

Mr. SIMS. Do not the records here show?

Mr. GAMBLE. I do not know that the record states that. I

am not so familiar with the history of the case in the Pension Office that I can answer the question of the gentleman.

Mr. SIMS. The committee, in the last session, made it a rule that the applicant must have made an application and that application have been rejected.

Mr. GAMBLE. That is true in this case, and it was pending from 1888 until 1895.

Mr. SIMS. Is there no ground stated for the cause of rejection?

Mr. GAMBLE. Yes; it stated that they failed to prove clearly that the disability was of service origin, on account of the death of some of his comrades.

Mr. SIMS. It was rejected because the disability was not shown to be of service origin?

Mr. GAMBLE. Not clearly. It was shown, but not as clearly as the Pension Office thought it should be.

Mr. SIMS. What is his present pension?

Mr. GAMBLE. Ten dollars a month.

Mr. SIMS. And what increase is asked for?

Mr. GAMBLE. An increase to \$20.

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CELIA A. JEFFERS.

The next business on the Private Calendar was the bill (S. 1251) granting an increase of pension to Celia A. Jeffers.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Celia A. Jeffers, widow of Aaron Jeffers, late of Company F, Nineteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

Mr. TALBERT. I should like to have the gentleman who introduced the bill give us some light upon it, unless the report is read.

Mr. SULLOWAY. I yield to the gentleman from Nebraska [Mr. NEVILLE].

Mr. NEVILLE. This is a Senate bill, which passed the Senate and came over here, so it was not introduced by a member of this House. I introduced a similar bill in the House, but as this passed the Senate first I thought it was better to let the House bill go and have the Senate bill pass, so as to save time.

This widow lives at Bassett, in Rock County, in my district. Her husband served nearly four years, serving from August, 1862, until June, 1865. He was taken prisoner at Thompsons Station, Tenn., March 5, 1863, and confined at Richmond, March 22, 1863, being paroled at City Point, Va., March 31, 1863.

He reported at College Green Barracks April 1, 1863, and was sent to Camp Parole, Maryland, April 3, 1863, where he arrived the same day. He was sent to Camp Chase, Ohio, April 6, 1863, where he reported for duty, and was present there May 7, 1863. The company reports show him as follows: June 9, 1863, left in hospital, Louisville, Ky.; July 24, 1863, returned from hospital. He died February 27, 1880, and the widow filed her declaration for a widow's pension March 1, 1887, which was granted March 22, 1889, carrying a rate of \$8 per month from February 27, 1880, the date of the death of the soldier above referred to, and \$12 per month from March 19, 1886, with \$2 additional for minor child, who was 16 March 6, 1891.

This young man, Charles C. Jeffers, on the 16th day of September, 1891, while driving the city dray, fell forward from the load, falling directly behind the mules, receiving a kick on his head which caused a fracture and heavy depression of his skull about 3 inches above his left eye. From this there resulted a permanent injury which made the young man an absolute invalid and a charge upon his widowed mother, which he has been for years.

The bill was unanimously reported by the Senate committee, and, as I understand, unanimously reported by the House committee. I know that it is a worthy case and I hope there will be no objection to it.

Mr. TALBERT. Mr. Chairman, I see by the reading of the report here that the father of the applicant here—

Mr. NEVILLE. The husband of the applicant.

Mr. TALBERT. The one for whom the pension is claimed received no disability in the service; but the report says:

On the 16th day of September, 1891, while driving the city dray, the said Charles C. Jeffers fell forward from the load, falling directly behind the mules, receiving a kick on his head, which caused a fracture and heavy depression of his skull, about 3 inches above his left eye.

Now, does this House propose to grant pensions upon such flimsy excuses as that? It does seem to me that this is an unworthy case, with due deference to what the gentleman has said. I know that his statements are facts, but the granting of this pension would be in direct violation of all law and all right and all justice.

It may be a small matter, but a great many of these small matters put together will make a very large matter. Now, why continue to do that? Do we propose to pension the wife and children of every man who falls off a wagon and gets his head hurt, or anything of that kind? Is there not provision made in the poorhouses for cases of this kind? If this Congress is going to pension all the poor people of this country, it will have a tremendous burden upon its hands. I submit that this is an unjust and unmeritorious claim, and ought not to pass.

Mr. SULLOWAY. Mr. Chairman, it would seem to be almost impossible to conceive a more meritorious case than this. The gentleman has not stated a single reason, he has not stated, so far as I could hear, a single fact in regard to it. What are the facts? This widow has a helpless child, the son of a soldier; and the fact is that if he had received his disability that made him as helpless as an infant six months and ten days earlier than he did, he would have been allowed a pension under the general law, and he would not have come here, as his mother comes here, asking this Government, for him whose father served his country, to contribute the difference between her pension as a widow and what this bill gives her to take care of this helpless son of that old soldier; and if there is a man in this House or in this country who begrudges taking that from the Treasury, God pity him; I can not.

Mr. TALBERT. I want to say, in reply to the gentleman, that I have no doubt that the statements that he has made are true. But are you going to give pensions to all those people who may have fallen off a load of wood and injured themselves? Do you propose to go ahead and pension out of the public Treasury every man's widow, if he died poor in this country? If you do, I think you will have on your hands a tremendous burden. I want to say, while you talk about pity, we should pity the taxpayers of this country a little as we are dispensing pity in this country. There seems to be an inordinate greed on the part of members to run their hands into the public Treasury. There seems to me to be a general system of logrolling in this House, where men get together and see if they can not pass each other's claims; and I say that the time has come when we should call a halt in the extravagant pension appropriations, and stop long enough to recollect that somebody has got to pay this money that you are appropriating here so lavishly. We do not stop long enough to recollect that the taxpayers as well as the tax consumers of this country deserve consideration at the hands of the lawmakers of this great nation.

Mr. NEVILLE. I think the gentleman misunderstands the situation here. The husband of this widow, who is the applicant here, enlisted at Schoolcraft, Mich., and the son, Charles C. Jeffers, is the son of a soldier and of the widow who here applies. The soldier himself is dead, and the son of this soldier is absolutely dependent upon the mercy and generosity of the people of the United States. I say that it is time that the people of this country should be willing to grant every old soldier who bared his breast to the bullets of the people who endeavored to deprive the country of its stability and its Union a pension; and I hope there will be no objection to pensioning any old soldier's widow, whether she has a son dependent upon her or not, if she is dependent upon the cold charity of this country for her livelihood. But when that dependence is doubled by the unfortunate circumstances which made the son of this soldier an invalid there ought not to be a man who has a spark of American blood in his veins that would for a moment seek to deprive the widow and the son, through the widow, of the benefits of a pension when the soldier was as deserving as any other old soldier; and I hope there will be no objection to this bill.

The bill was ordered to be laid aside with a favorable recommendation.

MARY A. RUSSELL.

The next business on the Private Calendar was the bill (S. 2375) granting a pension to Mary A. Russell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Russell, helpless and dependent daughter of Herbert C. Russell, of Company C, Sixty-eighth Regiment of Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. TALBERT. I ask for the reading of the report.

The report (by Mr. SAMUEL W. SMITH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2375) granting a pension to Mary A. Russell, have examined the same and adopt the Senate report thereon, and recommend that the bill do pass.

[Senate Report No. 235, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 2375) granting a pension to Mary A. Russell, have duly considered the same and submit the following report:

Herbert C. Russell, the father of the claimant, was a soldier in Company C, Sixty-eighth Regiment Ohio Volunteer Infantry, enrolled January 3 and

mustered into the service January 23, 1864, and was honorably discharged June 10, 1865, and while in the service was sick in hospitals at Mound City, Ill., and Camp Denison, Ohio, and died December 5, 1876, leaving two daughters, Lura, aged 5 years and 6 months, and the claimant, Mary A., aged 3 years and 6 months, and a widow, Cora, who died July 16, 1881.

The claimant applied for a pension in 1896, which was rejected on the ground that the records of the War Department did not show the incurrence of the fatal disease of her father in the service. The evidence clearly shows that the claimant was from infancy a nervous, sickly child, who, at about the age of 12 years, was afflicted with neurasthenia, which has steadily grown worse, and for the past seven years she has been entirely helpless and bedridden, unable to sit up, requiring constant attention. Claimant is permanently helpless and was left utterly dependent, and is so now. No one is pensioned on account of her father. Her case is meritorious and exceptional, and your committee report back the bill with a recommendation for its passage.

Mr. TALBERT. Now, Mr. Chairman, here is a report of the committee, as in all the other reports, showing that a claim was filed for a pension in 1896, which was rejected on the ground that the records of the War Department did not show the incurrence of the fatal disease of her father in the service. I only want to bring this fact to the attention of the country and the public, that in nearly every case here it is admitted that the claimant does not really deserve a pension, and can not get it under the law, and yet as an appeal court here we must take them here and grant them a pension.

The bill was ordered to be laid aside with a favorable recommendation.

ALLEN BUCKNER.

The next business on the Private Calendar was the bill (S. 320) granting an increase of pension to Allen Buckner.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Allen Buckner, late colonel Seventy-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report.

Mr. MIERS of Indiana. Will not the gentleman allow me to make a statement?

Mr. TALBERT. Certainly. All I want is a statement of the facts, so that we shall not be at work here blindfolded.

Mr. MIERS of Indiana. I will try and take the blindfold down. This soldier had a service of three years and one month. He was wounded and left on the battlefield, and laid over night without attention. He was finally discharged and granted a pension at first of \$23.50, and finally \$30; and at the last examination in 1892 the medical examination shows that for service origin he was entitled to \$45, but there was no pensionable standing between \$30 and \$50, so he was turned down on that account. Now, the officer in charge, the brigadier-general, says, "I do not remember ever having seen a braver and more gallant man than Mr. Buckner. We could always find him if we sought the post of danger," etc.

Mr. GAINES. How much is his pension now?

Mr. MIERS of Indiana. He is now pensioned at \$30.

Mr. TALBERT. Now drawing \$30 a month?

Mr. MIERS of Indiana. Yes, \$30. One eye out and the other barely able to see, hobbling along for thirty-odd years, blind, wounded, but entitled to a pension by service origin for \$45, and the committee thought it would give him \$50.

Mr. TALBERT. What is his pecuniary condition?

Mr. MIERS of Indiana. Poor as a church mouse.

Mr. TALBERT. How poor is that? [Laughter.] The reason I ask is that very statement was made here at the last Congress in regard to the pension of General Palmer, who, it was afterwards said, was worth \$50,000 or \$75,000. I would like to know how poor a church mouse is. I have seen church mice tolerably fat. [Laughter.]

Mr. MIERS of Indiana. It is easy to take the time of the House with such talk as this; but that is past and gone. Now let us give this old soldier what he deserves.

The bill was laid aside to be reported to the House with a favorable recommendation.

FREDERICK HIGGINS.

The next business on the Private Calendar was the bill (S. 2209) granting an increase of pension to Frederick Higgins.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Higgins, late of Company G, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

Mr. TALBERT. I ask for the reading of the report, Mr. Chairman.

Mr. MIERS of Indiana. If the gentleman will allow me, I will make a statement in this case. Here is an old soldier three years in service, old and poor. The examining surgeon states that the claimant has a double scrotal hernia not retained by truss, tumors at least 7 inches in diameter, for which they rate \$17 a month.

He has other disabilities, and the committee thought this old soldier ought to have \$25.

Mr. TALBERT. Mr. Chairman, I want to put in the RECORD another statement from the report. It appears from the report that he made a claim under the general law of September 25, 1884, alleging that at Bentonville, N. C., in March, 1865, while on a retreat from the line of skirmishing, in attempting to jump a ditch, he missed his footing and fell into the ditch, causing a rupture of his side. He fell into a ditch and now he is here claiming a pension.

Mr. MIERS of Indiana. I could say something that would sound as well as that, but I will forbear and let it go.

The bill was laid aside to be reported to the House with a favorable recommendation.

DAVID HUNTER.

The next business on the Private Calendar was the bill (S. 645) granting an increase of pension to David Hunter.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Hunter, late first lieutenant and adjutant, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. MIERS of Indiana. Here is a case of a soldier 53 years old. He received an injury by a horse falling on him while in the service. He was discharged and came home, and the official examination shows that his physical condition was the result of this accident.

Official examinations were made of his physical condition at various times, with the following result: In February, 1867, his mind was reported weak; his voice hesitating; in September, 1873, "hearing of left ear impaired and sense of smell gone. The head is affected by heat of sun. He probably suffered severe concussion of brain, from effects of which he has not fully recovered." In September, 1875: "The man's manner and conversation indicate that his mental powers have been and are still impaired." September, 1877: "Still suffers from the consequences of concussion of the brain, brought on by a fall from his horse; has lost the hearing of left ear and the sense of smell; is subject to headache and dizziness after physical or mental excitement." There is also sufficient evidence on file to prove that the claimant is a sufferer from epileptic fits.

Mr. GAINES. Was he ever pensioned before?

Mr. MIERS of Indiana. He is now pensioned at the rate of \$17. This is the Senate report. The bill passed the Senate in the Fifty-fourth Congress, it was reported favorably in the Fifty-fifth Congress, and it has passed the Senate in the Fifty-sixth Congress, and they say that the old soldier ought to have \$30 a month.

Mr. TALBERT. Why could not he get an increase at the Pension Bureau?

Mr. MIERS of Indiana. Because they say that his condition shows only \$17 pensionable service origin. This great American Congress is called upon to bring relief to an old soldier whose body has been enfeebled, whose mind was weakened, whose eyes are practically out, and who can not perform any manual labor whatever. They say that only \$17 of it is attributable to his service. If I had my way, I would give him \$50 instead of \$30. I think the Senate bill is a fair one, and it ought to pass.

Mr. TALBERT. What do you think the taxpayers would say about it?

Mr. MIERS of Indiana. If there is a taxpayer in America who, after seeing this old soldier and taking into consideration the fact that in order to maintain the flag of the Union he gave not only three years of his life but sacrificed his eyesight and his health and even his mind—if there is a single taxpayer not willing to pay his portion of the taxes to pay a pension in this case, then, in the language of the chairman of the committee, I say, "God pity that taxpayer!" [Applause.]

Mr. PAYNE. How old is this man?

Mr. MIERS of Indiana. Fifty-seven.

Mr. TALBERT. Mr. Chairman, it seems to me that the taxpayers know very well that these bills are for increasing the pensions of those who are already drawing a sufficient amount of pension to keep them out of the poorhouse, which they ought to have. But these increases are asked for upon the top of these liberal pensions that they are already drawing. Why do not the gentleman from Indiana [Mr. MIERS] and the gentleman from New Hampshire [Mr. SULLOWAY] bring in here claims for pensions to old soldiers who have never had a cent of pension? Why are not such bills put ahead of these claims for increase of pension? It seems to me that if gentlemen want to prove their friendship for the old soldier—gentlemen who talk about "pitying the taxpayer"—I ask, why do you not give pensions to some of these old soldiers who are unable or unwilling to swear to what is not true, and who have no political "pull"? Why not give pensions to such men? Why not give them a little of that Government aid of which they have had not a bit? Why not do this instead of increasing the pensions of those who have enough to keep them out of the poorhouse?

The question being taken, the bill was laid aside to be reported favorably to the House.

ELENDER HERRING.

The next business on the Private Calendar was the bill (S. 1265) granting a pension to Elender Herring.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elender Herring, dependent mother of George W. Herring, late of Company I, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. MIERS of Indiana. If the gentleman from South Carolina desires information about this case, I will make a statement of it. This is the claim of a dependent mother. She had a marriage ceremony with the father of this soldier in 1837. It seems that there is some question as to whether she had been properly divorced from her former husband—her first husband. The Pension Department holds that there is some question about the legality of her marriage. But the marriage ceremony was performed between her and this man in 1837, and she lived with him in good faith. The soldier in this case was the legitimate offspring of that marriage. She is now 75 years of age. The Pension Bureau did not recognize her as having any pensionable standing, because, as I have said, a question was raised as to the legality of her marriage. That is all there is in this case.

[Cries of "Vote!" "Vote!"]

Mr. TALBERT. Mr. Chairman, here is a case of an original pension, as I understand—not a claim for an increase.

Mr. MIERS of Indiana. The gentleman said a moment ago, Why do you not bring in here bills for original pensions—not applications for increase. We now have before us such a case as the gentleman asked for.

Mr. TALBERT. This is not an application for an increase of pension?

Mr. MIERS of Indiana. No, sir.

Mr. TALBERT. There is some sense in that.

Mr. MIERS of Indiana. Thank you.

Mr. TALBERT. For God's sake, let us take up some of these applications for original pensions in preference to the cases of those who already have pension enough to get along with.

The question being taken, the bill was laid aside to be reported favorably to the House.

JOHN B. RITZMAN.

The next business on the Private Calendar was the bill (S. 1194) granting an increase of pension to John B. Ritzman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Ritzman, late of Company F, Fifth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

Mr. TALBERT. I ask for the reading of the report.

The report (by Mr. HEDGE) was read, as follows:

[Senate Report No. 207, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1194) granting a pension to John B. Ritzman, have examined the same and report:

A similar bill was introduced in the Senate in the Fifty-fifth Congress, favorably reported, and passed the Senate.

The report was as follows:

"The War Department records show that claimant was enrolled in Company F, Fifth Iowa Cavalry, on the 16th of September, 1861, and was mustered out October 25, 1864. There is no record of treatment for any disability while in the service.

"He filed an application for pension May 28, 1883, on account of rheumatism and results of salivation. On February 23, 1888, he alleged sunstroke. These claims were adjudicated in October, 1889, and he was allowed \$4 per month from May 28, 1883, and \$8 from May 4, 1887, for rheumatism and resulting disease of mouth following salivation. Sunstroke was rejected because of no record and inability of claimant, after special examination, to furnish any evidence showing incurrence in line of duty.

"November 31, 1889, he applied for increase and for resulting erysipelas. This claim was allowed, and his pension increased to \$12 per month from June 18, 1890, for same disability. Application for increase for deafness and erysipelas was rejected May 21, 1894, because of no increase of pensioned disability. Erysipelas was rejected legally, because of no record and claimant's apparent inability to connect the same with service. Deafness was rejected by the medical referee because of no disability since filing.

"Efforts have been made by the claimant to have the claim for deafness allowed, but without success. An examination was made by a specialist April 15, 1895, and upon the receipt of his report the medical referee said:

"Neither the evidence nor the certificates of examination filed since rejection of claim show the existence of a pensionable degree of disability therefrom."

March 19, 1896, another examination was made by a specialist, who reports as follows:

"The membrane tympanum normal, except in lower anterior margin, where it is opaque and thickened. There is a small, round depression in this opaque space that looks like a hole into the middle ear, but I am unable to poke the smallest probe through the membrane. Ordinary voice sounds are distinguished at 6 feet, but not heard distinctly at 10 feet. The left ear is normal in every respect, and hears ordinary conversation readily at 10 feet. There is no disease of the post nares or throat or eustachian tubes of either ear."

"The medical referee, in a slip dated September 28, 1897, says:

"The evidence referred to in your slip of September 22, 1897, is not sufficient to warrant the granting of another medical examination with a view to reopening the claim on account of deafness of right ear, for the reason that said evidence can not be accepted as controverting the adverse report of experts who have examined this claimant."

"The evidence filed by the claimant tends to show that he is about three-fourths deaf in right ear. This disability has been legally established in the Pension Office, and it would seem that there is some disability from deafness, but not enough to warrant an increase to \$24, as provided by the bill."

"Your committee recommend the passage of the bill."

"Your committee adopt the foregoing report and recommend the passage of the bill."

Mr. TALBERT. Mr. Chairman, it appears from this report that the increase asked for here was not granted at the Pension Bureau because the disability was not of service origin. Bearing on that question I desire to send to the desk and have read an editorial which appeared a few days ago in the Washington Post in regard to the position of a Representative in this House upon this question of special pensions.

Mr. MIERS of Indiana. Mr. Chairman, I dislike to see the RECORD filled with matter which appears to be all on one side of these cases. Let me say that I have in my desk more letters of condemnation in regard to those who oppose these pension bills than the gentleman possibly can have letters of commendation. I prefer, however, not to fill the RECORD with matter of that kind. I do not know but there may be in this case no other course open to me than to "fight fire with fire." I should very much dislike to object to the reading of anything which any gentleman desires to have read.

Mr. TALBERT. I have no objection whatever to the gentleman printing in the RECORD what he pleases; but I now ask for the reading of the editorial in my own time.

Mr. MIERS of Indiana. I must object.

The CHAIRMAN (Mr. GROSVENOR). Does this relate to the pending bill?

Mr. TALBERT. It relates to the general subject of pensions.

The CHAIRMAN. The Chair will hold, then, that it is not in order, except by unanimous consent. [Applause.]

Mr. TALBERT. Then, Mr. Chairman, I take the floor in my own right and demand my right to read this myself.

The CHAIRMAN. Well, that would be another question, for future determination.

Mr. TALBERT (continuing). I do not propose to be overruled by any Chairman in the exercise of my right as a Representative on this floor.

Mr. FORDNEY. If the gentleman chooses to read it I, will object to its going into the RECORD.

Mr. TALBERT. I will read the article myself.

REPRESENTATIVE LOUD ON SPECIAL PENSIONS.

On Friday last the House of Representatives passed 97 pension bills, special acts—

The CHAIRMAN. The gentleman from South Carolina is not in order.

Mr. TALBERT. Does the Chair decide that I am out of order?

The CHAIRMAN. The Chair does.

Mr. TALBERT. In reading this article?

The CHAIRMAN. The Chair decides that the gentleman is out of order.

Mr. TALBERT. Then I appeal from the decision of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and the Chair announced that the ayes seemed to prevail.

Mr. TALBERT demanded a division.

The committee divided; and there were—ayes 52, noes 8.

Before the announcement of the vote,

Mr. TALBERT. I make the point that no quorum is present.

The CHAIRMAN. The gentleman had better wait until the result of the vote has been announced.

Mr. TALBERT. Oh, well, Mr. Chairman, I will be early enough.

The result of the vote was then announced as above recorded.

Mr. TALBERT. I make the point of order that no quorum is present. Now overrule that, will you? [Laughter.]

The CHAIRMAN (having counted the committee). One hundred and sixteen members are present; a quorum is present, the ayes have it, and the decision of the Chair is sustained.

The question is on laying the bill aside with a favorable recommendation.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

CASPER MILLER, JR.

The next business on the Private Calendar was the bill (S. 994) granting an increase of pension to Casper Miller, jr.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Casper Miller, jr., late first lieutenant Company E, Eighty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

Mr. TALBERT. I ask for the reading of the report in that case.

The report (by Mr. GASTON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 994) granting an increase of pension to Casper Miller, jr., have examined the same and adopt the Senate report thereon, and recommend that the bill do pass.

[Senate Report No. 234, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 994) granting an increase of pension to Casper Miller, jr., have examined the same and report:

This bill proposes to increase the pension of Casper Miller, jr., late first lieutenant Company E, Eighty-second Pennsylvania Volunteer Infantry, from \$12 to \$17 per month.

Casper Miller, jr., enlisted in Company F, Twenty-third Pennsylvania Volunteer Infantry, August 2, 1861; reenlisted as a veteran volunteer December 23, 1863; was promoted to second lieutenant August 27, 1864; promoted to first lieutenant Company E, Eighty-second Pennsylvania Volunteer Infantry, April 14, 1865, and was discharged July 13, 1865. He was wounded in head in action at Cold Harbor, Va., June 2, 1864. Hospital records show him treated in June, 1864, for wound of scalp.

He first made claim for pension under the general law December 31, 1885, alleging that while a sergeant he received gunshot wound right side of head in action at Cold Harbor, Va., June 1, 1864. On October 21, 1888, he was allowed a pension for this wound at the rate of \$2 per month. This pension was increased to \$4 per month October 9, 1889, and to \$8 per month August 13, 1890.

On July 9, 1890, he filed a claim under the act of June 27, 1890, and on May 6, 1892, he was allowed a pension under this law at the rate of \$12 per month, which is the pension he now receives.

Examining surgeons, May 8, 1891, report:

"Claimant 51 years of age, 5 feet 9 inches high, and weighs 185 pounds; gunshot wound of head located over right occipito-parietal suture, cicatrix is linear in shape, 1 inch by one-eighth inch, not tender, dragging, or adherent, no loss of tissue or fracture of outer table; slight prominence of skull at that point, slight enlargement about size of pea; neuralgic pains radiate from seat of injury; right peripheral nerve is doubtless injured, as considerable pain is induced upon pressure upon the ear; neuralgic pains all over posterior and outer surface of right side of head; rate, \$6; chronic granular pharyngitis, with elongation of uvula, laryngitis with loss of voice; has not spoken, except in a loud whisper, for three years; rate, \$6.

"Two internal piles, each the size of a bean, engorgement of internal veins, but no ulceration, prolapsus, or bleeding; rate, \$4. Thickening of both spermatic cords, result of hydrocele, which operated upon two years ago on the right side of scrotum, whole scrotal structures are enlarged, being now in the absence of fluid 8 inches in circumference, spermatic cords are three times their normal size; rate, \$4. Rheumatism, crepitation in both shoulders, both knees, and hips, but no swelling, inflammation, etc.; lumbago well marked; rate, \$4. Claimant is one-half disqualified for the performance of manual labor."

Your committee believe that the neuralgic pains over the greater part of his head from which this claimant suffers are due to the gunshot wound received in battle, and this, with his other disabilities, entitle him to a higher rate of pension than he now receives. His service was long and honorable, and the passage of the bill is recommended.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

BENJAMIN F. BOURNE.

The next business on the Private Calendar was the bill (S. 819) granting an increase of pension to Benjamin F. Bourne.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Bourne, late of Company F, Twenty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. TALBERT. I ask for the reading of the report in that case.

Mr. GRAFF. Would the gentleman from South Carolina be satisfied with a brief explanation?

Mr. TALBERT. Certainly; that would be entirely satisfactory to me.

Mr. SIBLEY. Mr. Chairman, I ask that the reading be dispensed with.

Mr. GRAFF. I have asked consent to make a short explanation for the special benefit of the gentleman from South Carolina.

Mr. SIBLEY. Very well; I did not know that the gentleman had taken the floor.

Mr. GRAFF. This soldier, Mr. Chairman, served over three years in the war of the rebellion and was honorably discharged at the end of the war. He is pensioned under the act of June 27, 1890, at the rate of \$12 per month, which means, practically, that he is totally disabled for the performance of manual labor.

The bill seeks only to increase the pension to \$20 per month. He had a claim under the general law in the Bureau, but it was rejected for the reason that part of the disability was incurred while he was on detached service, and also while a prisoner of war at Lynchburg, Va., and hence was not able to prove, technically, the incurrence of the disease as the result of his Army service.

Mr. TALBERT. Has he any means for his support?

Mr. GRAFF. None whatever.

The CHAIRMAN. Without objection the bill will be laid aside to be reported to the House with a favorable recommendation.

There was no objection, and it was so ordered.

RHODA A. FOSTER.

The next business on the Private Calendar was the bill (S. 239) granting an increase of pension to Rhoda A. Foster.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Rhoda A.

Foster, widow of Albert H. Foster, late captain of Company D, Twenty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

Mr. TALBERT. I ask for the reading of the report.

The CHAIRMAN. The gentleman asks for the reading of the report. Is there objection to the reading of this report?

Mr. SHATTUC. I object.

The CHAIRMAN. Objection is made.

Mr. TALBERT. I move that the report be read.

The question being taken on the motion of Mr. TALBERT, on a division, demanded by Mr. TALBERT, there were—ayes 7, noes 45.

Mr. TALBERT. I make the point that there is no quorum present.

The CHAIRMAN. The Chair overrules the suggestion, because there is a quorum present, within the knowledge of the Chair.

Mr. TALBERT. I appeal from the decision of the Chair.

The CHAIRMAN. The Chair has just counted the House and there are more than a hundred members present.

Mr. GRAFF. I submit that the gentleman's point is dilatory.

Mr. TALBERT. I should like to know how the gentleman knows whether it is dilatory or not.

The CHAIRMAN. The present occupant of the chair would hold that a suggestion of no quorum could always be made, even though it was intended, as in the present case, to be dilatory, but in the present case the Chair takes knowledge of the fact that there is a quorum present and overrules the suggestion. The question is upon the motion that this bill be laid aside to be reported to the House with a favorable recommendation.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANNIE B. GOODRICH.

The next business on the Private Calendar was the bill (H. R. 1419) granting an increase of pension to Annie B. Goodrich.

The Clerk read the bill, as follows:

Be it enacted, etc. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie B. Goodrich, widow of Amos B. Goodrich, late second lieutenant of Company A, Twentieth Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

Mr. TALBERT. Mr. Chairman, I move that the report be read.

Mr. SIBLEY. I move that the reading of the report be dispensed with.

The CHAIRMAN. Does the gentleman from South Carolina make a motion that the report be read?

Mr. TALBERT. Yes.

The CHAIRMAN. The gentleman from South Carolina, as the Chair understands it, can ask that this report be read in his time, he having now taken the floor upon this bill; but if objection is made to the reading of the report, it is a question for the House to say whether it shall be read or not.

Mr. TALBERT. I understood the Chairman to put the motion a while ago.

The CHAIRMAN. The gentleman from South Carolina made the motion himself, upon objection being made.

Mr. TALBERT. And the Chairman put the motion. I submit that the Chair is sometimes fair; but I want to say—

The CHAIRMAN. Does the gentleman from South Carolina now move that the report be read?

Mr. TALBERT. I do.

Mr. SIBLEY. I object.

The CHAIRMAN. The gentleman from South Carolina moves that this report be read.

The question being taken, on a division (demanded by Mr. TALBERT) there were—ayes 1, noes 55.

Mr. TALBERT. I make the point again, Mr. Chairman, that there is no quorum present.

The CHAIRMAN. The Chair overrules the point.

Mr. TALBERT. I appeal from the decision of the Chair.

The CHAIRMAN. The Chair is of the opinion that that is made for the purpose of delay.

Mr. TALBERT. I desire to say a few words.

The CHAIRMAN. The gentleman from South Carolina.

Mr. TALBERT. I am surprised, indeed, at this very drastic and arbitrary proceeding, revolutionary—

A MEMBER. Unconstitutional.

Mr. TALBERT. The gentleman down there says unconstitutional.

Mr. NEVILLE. Will the gentleman yield for a question?

Mr. TALBERT. Why, certainly, always, my friend.

Mr. NEVILLE. Will you tell this House why you do not make this point of no quorum when other business than pensions to the old soldiers is being considered? [Applause.]

Mr. TALBERT. I will say to the gentleman that I make my own statements, and I state why I do a thing when it suits me, and when it does not suit me I do not do it; but let me say to the gentleman that if he will sit down and be easy and let his hair grow, I will tell him why I do it.

Mr. NEVILLE. Is it not true that at the same time you do this you claim that you are in favor of pensions to the old soldiers?

Mr. TALBERT. To an honest, patriotic old fellow who followed the flag from first to last, I am. But I am absolutely opposed to giving pensions to bummers, deserters, and coffee coolers, and all that sort of thing, and I am opposed to these infernal increases to men and women that already have a competency, whilst the old soldiers are left out without original pensions. The gentleman asks me why I am here in opposition to pension legislation? I will tell the gentleman why. It is because no other member out of 356 will do it, and I believe it ought to be done; and believing that it ought to be done, and believing that I am right, is why I, singly and alone, have stood up here and had criticisms harsh and extreme put upon my head for doing what I believe to be right.

Mr. MIERS of Indiana. May I ask the gentleman a question?

Mr. TALBERT. Why, certainly.

Mr. MIERS of Indiana. Now, this bill is to increase the pension of an old woman who was only drawing \$8. She is blind and 75 years old, and it only proposes to give her \$15.

Mr. TALBERT. I have no doubt about that.

Mr. MIERS of Indiana. Let it pass.

Mr. TALBERT. I have no doubt that if she had half a dozen eyes the gentleman would still want to pension her. I am not responsible for this delay. The House saw how the thing was going on. They had a gentleman in the chair that would not undertake to be arbitrary, and they hunted up the present occupant of the chair and put him there to decide what he has decided. [Hisses.] I say that with all due respect to my friend, who looks so much like Santa Claus that I like him, because he pleases the children. [Laughter.]

I deny it most emphatically. I am trying to treat them all alike, God knows; but I am opposed to men who are rich, who are millionaires, getting pensions. I am opposed to men in high office drawing pensions. There are numbers of these men in your Departments, with salaries from \$1,000 to \$2,000 a year, drawing pensions. I am opposed to members of Congress upon the floor of this House drawing a pension and also a salary of \$5,000 a year; but I am not opposed to proper pensions to the old soldiers.

Mr. HILL. Mr. Chairman, I make a point of order. A few days ago the Chairman, when the House was in Committee of the Whole, made a ruling in the debate that a matter could not be read without the consent of the House.

Mr. TALBERT. I can read the report in my time.

Mr. SIBLEY. Will the gentleman yield to me for a question?

Mr. TALBERT. Certainly.

Mr. SIBLEY. Now, I have no doubt about the gentleman's sincerity—that he in his own mind believes he is defending the interests of the taxpayers of this country. I give him credit for sincerity, and I want to ask him to stop and think. Let him take his pencil and a bit of paper and figure up. For this House to be in session it costs something like \$15,000 a day. Now, if the gentleman will make a little mathematical calculation he will find—

Mr. HEPBURN. Will the gentleman allow me right there?

Mr. SIBLEY. Certainly.

Mr. HEPBURN. Take the days that we are in session one year with another, and he will find that it costs the Treasury \$37,000 a day or \$7,500 an hour in a day of five hours.

Mr. SIBLEY. Seventy-five hundred dollars an hour. My friend from South Carolina will admit that in the last few years he has used months' of the time of this House in opposing legislation the cost of the time for which would have paid every pension bill that has been before the House this session. [Great applause.]

Mr. TALBERT. I want to say to the gentleman that he is entirely mistaken. I have prevented the passage of a hundred or more than I have favored. [Derisive applause on the Republican side.]

Ah, gentlemen, I have heard it thunder before. I have seen the lightning flash, and there are not Republicans enough to scare this boy. [Laughter.] But I want to say in reply to my friend yonder that he gets out of one place and into another so often that I can not follow him. [Laughter.] I want to say, gentlemen, that I stand by the faith of the fathers.

Now, Mr. Chairman, I desire to read the report, if the Clerk will furnish me with it, in my own time.

Mr. TALBERT began reading the report.

The CHAIRMAN. The Chair will say to the gentleman from South Carolina that the House has voted that that report should not be read.

Mr. TALBERT. I did not think, Mr. Chairman, there had been any vote on this report.

The CHAIRMAN (Mr. GROSVENOR). This was the report. I hope the gentleman from South Carolina, unless he has some point to make about the report, will allow the business to go on. If the gentleman wishes to hear the rule, the Chair will read it:

It is equally an error to suppose that any member has a right, without a question put, to lay a book or paper on the table and have it read on suggesting that it contains matter infringing on the privileges of the House.

Mr. TALBERT. Well, Mr. Chairman, we will have the next bill read. [Laughter.]
The bill was laid aside to be reported to the House with a favorable recommendation.

FRANKLIN C. PLANTZ.

The next business on the Private Calendar was the bill (S. 2167) granting an increase of pension to Franklin C. Plantz.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Franklin C. Plantz, late corporal, Company C, Fifty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

ROBERT BLACK.

The next business on the Private Calendar was the bill (S. 62) granting an increase of pension to Robert Black.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Black, late a private in Company C of the Eighth Regiment of New York Volunteer Heavy Artillery, and pay him a pension of \$24 per month in lieu of the pension he is now receiving.

Mr. TALBERT. Mr. Chairman, I ask that the report be read.
Mr. SIBLEY. I object, Mr. Chairman.

Mr. TALBERT. I desire to make a few remarks on this bill.

The CHAIRMAN. The question before the committee is whether or not the report shall be read. Does the gentleman withdraw his request for the reading of the report?

Mr. TALBERT. No, Mr. Chairman; I submit that I shall be compelled to read the report, or a portion of it, in discussing the bill before the House. I hope this House has not arrived at that understanding or at that point where they want to stifle free speech, where they want to gag anybody, especially my distinguished, smooth-faced chameleon from Pennsylvania [laughter], coquetting with silver and gold, with the facile ease of an agile acrobat. [Great laughter.]

The CHAIRMAN. The gentleman from South Carolina will confine himself to the bill before the committee.

Mr. TALBERT. Confine himself to the subject in hand. [Laughter.]

The CHAIRMAN. The Chair accepts the amendment of the gentleman from South Carolina.

Mr. TALBERT. "The Committee on Pensions, to whom was referred this bill granting an increase of pension to Franklin C. Plantz, examined the same and reports." That is what the report says. Here you are allowing another increase. Nearly every one of these bills are for an increase from the original pension. I make the point against this bill that the claimant is in comfortable circumstances, doing very well, with a pension sufficient to live, while numbers of other old soldiers have not received a single cent. The report further says:

A bill identical in form was introduced in the Senate during the Fifty-fourth Congress, passed the Senate, and was reported favorably to the House.

Mr. Chairman, you know that anything can pass the Senate if it has a special appropriation.

Mr. MIERS of Indiana. Mr. Chairman, a point of order. It is bad enough to read the report of every bill that comes up, without undertaking to read the report of a bill that has already been laid aside.

The CHAIRMAN. The Chair will call the attention of the gentleman from South Carolina to the fact that he is reading the report of a bill that has already been laid aside to be reported to the House with a favorable recommendation.

Mr. TALBERT. I am like the old nigger preacher when he was preaching on Jonah and the whale, said he knew there had been swallowing done somewhere.

Mr. NORTON of Ohio. Will the gentleman yield to me?

Mr. TALBERT. Yes; for a question.

Mr. NORTON of Ohio. I will wait until the gentleman has finished.

Mr. TALBERT. This report says this bill proposes to grant an increase of pension to Robert Black, late a private in Company C, in the Eighth Regiment New York Volunteer Heavy Artillery, from \$17 a month to \$24 a month. So here it is again, giving an increase to a man who has enough and has all that he is allowed by the liberal pension laws of this great Government, leaving out other deserving old soldiers. Now, Mr. Chairman, I will say no more on this bill.

Mr. NORTON of Ohio. Mr. Chairman— [Cries of "Vote!" "Vote!"] If it is necessary, I shall raise a question of personal privilege before a vote shall be taken. I ask the right to address the House in reply to some remarks made by the gentleman from South Carolina [Mr. TALBERT] so unjust that no member of this committee ought to sit silent any longer. Mr. Chairman, while I

may be prejudiced in favor of the men that defended the flag, in the years I have been in this House the longest hours have been given to the careful, honest, faithful consideration of these pension measures.

Now, I know that the gentleman from South Carolina [Mr. TALBERT] is a kind-hearted man. I know he is contentious, and, when he meets contention, becomes angry and unreasonable; but he has no right to charge upon this floor as against this committee—I will not speak of myself, but for every other member of the committee, who is just as honest and just as honorable as he is—that we are acting in a manner false to facts, false to right, justice, and honor.

Mr. TALBERT. I hope the gentleman does not think that I charged any dishonesty to the committee.

Mr. NORTON of Ohio. You must charge dishonesty when you say that we are pensioning millionaires and unworthy, dishonest, and perjured applicants.

Mr. TALBERT. I did not say any such thing. I did not charge that upon the committee.

Mr. NORTON of Ohio. The gentleman's statement is certainly in the RECORD that we are "adding to the pensions of those who have already enough and more and who are living in ease and luxury." I deny it, and I hurl that back. I say to you that no pension ever reported on this floor by the committee to which I belong—not one—but what has had the most careful consideration by a committee at least as honest and conscientious as any other committee in this House; and I say to the gentleman if it is your desire and ambition to continue to fight the idea of pensions you ought to see that it must be futile now. You ought to know that on your side and in every State of this great country there is not a voice raised against the men who fought against you except your own.

In the name of God and humanity, what pride can a man have in feeling within himself that he is supreme over all the members of this House, Democrats and Republicans alike? [Applause.] Will it bring you a higher glory, a higher fame? Will it add to your honor? Will it make your own people love you better to stand here hour by hour and fritter away the time of the House and the time of the people asserting your judgment in opposition to that of every other man on this floor and holding that yours is supreme over all?

I beg you, in the spirit of kindness—in that spirit of love that I have learned to have for you—to desist. When you can come on this floor and assert in honor and in integrity of purpose that a particular claim is an unjust claim, and when you can prove your assertion, I will stand by you and vote against it. [Applause.] But the mere cry "Read the report," the mere cry "I raise a point of order," the mere cry "There is no quorum" does not prove sincerity, but only an absolute determination to delay doing justice to the men who in their old age are going down to their graves in penury.

I would be glad if I could arouse you to a higher patriotism, to take care of the men of your own State who were at Appomattox and Stone River and Gettysburg, and I would say that you would be cowardly if on this floor you did not take care of them when you had the opportunity. But when you come here and undertake to deny that right to these men, charging perjury and fraud, we on our side have something to complain of. The soldier has something to complain of against you and me. We have made it hard enough, God knows, for the soldier and his widow and his orphans to secure justice. The Pension Department and Congress itself have raised barriers enough against my old comrades without having the aid of South Carolina to, by its unreasoning Representative on this floor, assassinate justice, kill patriotism, and deny equity to the men who saved the nation. It is not necessary longer to keep up this unseemly and absolute senseless performance in this House. I offer you my hand in kindness. I say nothing detrimental to your honesty; but I beg of you to use your judgment and your reason, to stand forth as a man and earn the approbation of all men on this floor by doing justice and legislating along the lines of common decency and common sense. [Loud applause.]

Mr. TALBERT. Mr. Chairman, I will say, in reply to what the gentleman from Ohio [Mr. NORTON] has said, that so far as concerns charging the committee with dishonesty or anything of that sort, nothing was further from my thought. I stated that the committee had been honest and that when they brought in a report here it showed that the claimant had been to the Pension Bureau and that his application had been denied.

I want to say to the gentleman that when he twits me with being the only man on this floor who is opposed to fraudulent pensions, I accept the distinction; I feel that I am honored if I am the only man on the Democratic or the Republican side who has the manhood to rise up here and vote against fraudulent pensions. When the gentleman says that I have undertaken to stop the pension of a single deserving old soldier, he misstates the fact.

I appeal to every gentleman on this side and on the other side;

they will bear me out in the statement that since I have been a member of this House I have never voted against a pension when I thought that the soldier honestly deserved it. I want to say to the gentleman that I expect to persist in this course, and the Democratic party can do as it pleases. For one I do not wish to go to the public Treasury to get money to electioneer with by getting money out of pensioners who have received pensions that they do not deserve.

I believe that the pension laws of this nation are sufficiently liberal to give every old soldier who deserves it a pension; but I do say that you are rushing through here in this House numbers of claims that are unjust, that have no merit in them, and that the Grand Army posts themselves are passing resolutions against this wholesale passage of pension bills.

Mr. NEVILLE. May I ask the gentleman a question?

Mr. TALBERT. Certainly.

Mr. NEVILLE. If you say as a matter of fact that we are rushing through a great many pensions which are unjust and fraudulent, how could you, a few moments ago, say that you were not making a charge of dishonesty against the members of the Pension Committee?

Mr. TALBERT. I will answer the gentleman with pleasure by saying this: The Committee on Invalid Pensions is composed of gentlemen of high patriotism.

That is exactly the case, Mr. Chairman; but we know that they are human beings after all, and members on this side of the House and members on that go to them and appeal to them and ask them to help this poor old man or poor old woman in order to get their pensions, or get an increase of pension, when they know, and must know, that these people are not entitled to the pension, and ought not to have it, and yet in the goodness of their hearts, with the desire to help those who are poor and impoverished, they go before the committee and appeal, and therefore get the bills through that ought not to pass, as they themselves must admit, if they will examine the records in the case. That is all I meant to say. I never have made any assault on that committee. I have made no charge against them on the score of dishonesty; but, as I say, they are simply human beings and subject to the appeals of their fellow-members, and, like all other men, are liable to error.

Mr. GASTON. Will the gentleman allow an interruption just there?

Mr. TALBERT. Certainly.

Mr. GASTON. As a member of the Committee on Invalid Pensions, I wish to say that the statement of the gentleman that appeals are made to members on that committee by the members on this floor is not true. We do not meet with members at all in that way. The gentleman is mistaken altogether in assuming that the committee hears the appeals of members for the passage of this, that, or the other bill.

Mr. TALBERT. Well, I did not yield to the gentleman for a speech.

Mr. GASTON. That is all I desired to say. Simply that the gentleman is in error as to his statement.

Mr. TALBERT (continuing). But, Mr. Chairman, when a gentleman rises on this floor and undertakes to lecture me for my course here, I want to say to him, sir, that I have adopted my position with reference to this matter after mature deliberation and careful consideration. I want him to understand that my position here has been taken after that consideration and deliberation and study, and that I stand by every word that I have ever said and every position that I have ever taken since I have been a member of this body with reference to pension legislation or anything else.

And I will say to the gentleman from Ohio [Mr. NORTON], who undertook to lecture me, that I feel as friendly to all the old soldiers as the gentleman does, or any other member on this floor, and would be just as ready to raise my voice or my arm in behalf of any old soldier, whether he wore the blue or the gray, as the gentleman himself would be. But all of this criticism that has been showered down upon my head because I dared to stand here and oppose what I regard to be an injustice to the taxpayers of this country has no effect upon me and can not induce me to change my position.

Mr. NORTON of Ohio. Will the gentleman yield to a question?

Mr. TALBERT (continuing). And I hope the Chair will allow me to have read the protest of the veterans as bearing upon this very question, which I send to the desk.

Mr. LAMB. Will the gentleman allow me to ask him a question?

Mr. TALBERT. Yes, sir.

Mr. LAMB. I want to know what good you hope to accomplish by this delay in the business of the House?

Mr. TALBERT. Oh, well, Mr. Chairman, I have no little petty claims to beg anybody for, or to ask any assistance to secure their passage. You are sitting there, and this man is sitting here, with these little petty claims that you are anxious to get through, and you will vote for almost anything in order to get that little,

infernal claim of your own through. [Laughter.] I am citing what I regard to be the justice and the merits of the position itself, and not because I have any favors to ask of anybody. This whole thing looks like a mere matter of "log rolling," each member voting to help the other, and all of them ready to use the taxing power of the Government in order to put pension claims through Congress, many of which, as I have said, I do not believe to be meritorious or have any warrant in law. I am absolutely opposed to it.

Mr. LAMB. I want to ask my friend from South Carolina another question. Do you mean that you have no "petty claims" here yourself, and that therefore you have no sympathy for your fellow-colleagues who have such claims?

Mr. TALBERT. If they are true and honest I should favor their payment. I am not dealing in war claims myself. When I went into the Confederate army with my people we went in with the understanding that we would take the consequences, whatever they might be, and I am not here as a beggar for anything at the hands of the Government. I do not intend to do this now or in the future. Other gentlemen may come to beg and ask favors at the hands of the Government. I will not. I shall oppose these measures whenever they come before the House and whenever I have an opportunity of presenting my opposition to them, unless I believe them to be absolutely just and founded in right.

The CHAIRMAN (Mr. CAPRON). Does the gentleman from Virginia desire to be recognized?

Mr. LAMB. Yes; in my own time.

The CHAIRMAN. The gentleman from Virginia is recognized.

Mr. LAMB. I want to say to my friend from South Carolina that there are numbers of us in Virginia and the border States who have meritorious claims that ought to be considered by this House; and if the gentleman had not made this dilatory move here and prevented us from having these pension claims considered at night sessions, we should have had two more Fridays in each month for the consideration of those claims. I want to say to my friend that I have been before the Committee on Invalid Pensions and the Committee on Pensions, and I know that they have scrutinized and criticized every bill that has been before them.

I have in my own district numbers of Federal soldiers who moved down there, who are now old and dependent; numbers of soldiers of the Mexican war, and of the Indian wars, for whom I have been unable to get any recommendation from these committees, so particular have they been in this matter, and I want to exonerate this committee, so far as I am concerned, and I want to say now to my friend from South Carolina that I beg him to cease this work here which he is doing and let us carry on business in the proper way.

Mr. TALBERT. I should like to ask the gentleman if his having these private claims here does not prevent him from voting against what he considers to be unjust claims for fear members who are interested in them will fight his own claims?

Mr. LAMB. No, sir; my claims stand on their merits, and I challenge investigation. I was a Confederate soldier, as well as my friend, and am ready to vote for meritorious claims that are reported to this House.

Mr. TALBERT. That is what is the matter. If I have any claim here, I will present it on its merits, and I will not beg to have any little infernal thing paid back that we lost in the war. We staked everything and lost it, and we submit to it and do not whine about it.

Mr. SIBLEY. Mr. Chairman, a parliamentary inquiry. How many times is the gentleman entitled to recognition upon one bill?

The CHAIRMAN. Once. If there be no objection, the bill will be laid aside to be reported to the House with a favorable recommendation.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

PATRICK LAYHEE.

The next business on the Private Calendar was the bill (S. 241) granting a pension to Patrick Layhee.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick Layhee, invalid and dependent son of William Layhee, late of Company G, First Regiment Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELLEN C. ABBOTT.

The next business on the Private Calendar was the bill (S. 1331) granting an increase of pension to Ellen C. Abbott.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the limitations and provisions of the pension laws, the name of Ellen C. Abbott, widow of Joseph C. Abbott, late colonel of the Seventh Regiment New Hampshire Volunteer Infantry, and brevet brigadier-general, United States Volunteers,

and pay her a pension at the rate of \$90 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM F. BOYAKIN.

The next business on the Private Calendar was the bill (H. R. 8830) granting an increase of pension to William F. Boyakin.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Boyakin, late chaplain of the Thirtieth Regiment of Illinois Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The following amendments recommended by the Committee on Invalid Pensions were read:

In line 7 strike out the word "of" before the word "Illinois."

In line 8 strike out the words "seventy-two" and insert in lieu thereof the word "forty."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CORNELIA DE PEYSTER BLACK.

The next business on the Private Calendar was the bill (S. 209) granting an increase of pension to Cornelia De Peyster Black.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelia De Peyster Black, widow of Henry M. Black, late colonel, United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOSEPHINE I. OFFLEY.

The next business on the Private Calendar was the bill (S. 208) granting an increase of pension to Josephine I. Offley.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josephine I. Offley, widow of Robert H. Offley, late colonel of the Tenth United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of that which she is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

OLIVER J. LYON.

The next business on the Private Calendar was the bill (S. 1729) granting an increase of pension to Oliver J. Lyon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oliver J. Lyon, late of Company K, Twenty-fifth Regiment Iowa Volunteer Infantry, also of Company G, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. TALBERT. I ask that the report in that case be read.

The CHAIRMAN. The Clerk will read the report.

The Clerk began the reading of the report.

Mr. SIBLEY. I move that the further reading of the report be dispensed with.

The CHAIRMAN. If there is no objection, the further reading of the report will be dispensed with.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

HENRIETTA CUMMINS.

The next business on the Private Calendar was the bill (S. 531) granting a pension to Henrietta Cummins.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henrietta Cummins, widow of Vincent Cummins, late captain of Company H, Seventy-second Regiment Enrolled Missouri Militia, and pay her a pension at the rate of \$20 per month.

Mr. TALBERT. I ask for the reading of the report.

The CHAIRMAN. If there be no objection the report will be read.

Mr. FITZGERALD of Massachusetts. I object.

The CHAIRMAN. If there be no objection, the bill will be laid aside with a favorable recommendation.

Mr. LOUD. Mr. Chairman, I object. I will ask that some member of the committee give some explanation of this bill.

The CHAIRMAN. The chairman of the committee is called upon for an explanation of the bill now pending.

Mr. SHATTUC. Mr. Chairman, may I ask the gentleman from California a question?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Ohio?

Mr. LOUD. Certainly.

Mr. SHATTUC. Did you observe that as soon as you took the floor Mr. TALBERT went out? [Laughter.]

Mr. TALBERT. The gentleman has not gone out. Why, I thought the gentleman had eyes. He had eyes and saw not; he had nose, but could not smell. [Laughter.]

Mr. LOUD. I have no doubt but what the gentleman fairly represents his constituency, and shows his ability when he asks a question of that character. [Laughter.] It is a laughing matter with him. I will state, gentlemen, why I asked for an explanation of the bill. The Missouri Enrolled Militia, as I understand, are not entitled to a pension under existing law.

Mr. SULLOWAY. Exactly so.

Mr. LOUD. There are many thousands of them, and I want to ask why you make an exception in this case?

Mr. SULLOWAY. This is a Senate bill, and the report states the question thoroughly. This is an old lady 70 years of age. She married the soldier in 1845, and was his wife during the war. She is extremely poor. He died in the service. The Senate passed this bill giving her \$20, the rate that her husband would have been entitled to if mustered. It is a fact that he was not mustered, but he did serve.

Mr. MIERS of Indiana. From this report—

Mr. CALDERHEAD. If the gentleman will permit me.

Mr. MIERS of Indiana. I yield the floor to the gentleman.

Mr. CALDERHEAD. I want to add to what the chairman of the committee has just said.

The CHAIRMAN. Does the gentleman from California yield?

Mr. LOUD. Certainly I yield.

Mr. CALDERHEAD. This man served two hundred and forty-seven days. He was paid for it by the State, and the State was afterwards reimbursed by the United States. He performed the same kind of service, the same kind of duty, that an officer would have performed who was in the volunteer service. That is the whole of it. If there had been a time when the organization had been under the command of a United States officer so that that fact would have appeared of record, then the uniform rule of the Department is to admit that they were within the general law and entitled to the benefits of the general pension laws.

Here was an organization under the command of General Holland, in the center of the State, in the very theater of war, under two different enlistments, one of one hundred and eighty days and the other of forty-seven days. If a general officer of the United States Army had issued orders to the organization as a whole, or they had been paid directly by the United States instead of indirectly, they would have been eligible under the general law. His widow, who was his wife then, is now 70 years old, blind, and poor, and is just as much entitled to recognition as the widow of any other soldier who served. That is apparent from the reading of the Senate report. The testimony which was before the Senate was not exhibited to our committee, and seldom is, unless there is some occasion for calling for it. If the Senate report which is exhibited to our committee sets out facts which would entitle the claimant to relief at the hands of our committee, we accept the Senate report. In this case we have accepted the Senate report, and there is no challenge except the general challenge made by the distinguished gentleman from California and the distinguished gentleman from South Carolina that these are cases, are all cases, in which the claimants are not entitled to pensions—

Mr. LOUD. I would not go into that field.

Mr. CALDERHEAD. Do not come under the general law.

Mr. LOUD. I suggest to the gentleman that he do not go into that field, because I do not care to enter it myself, unless it is forced upon me at the present time.

Mr. CALDERHEAD. I do not care to force it upon the gentleman at the present time, or care to force it upon him at all; and I yield the floor to the gentleman, thanking him for the time he has given me.

Mr. LOUD. I assumed, Mr. Chairman, that I had the right to respectfully address the House. Now, what I want to call attention to is that there are several thousand persons now living—

Mr. ROBINSON of Indiana. I insist upon order, Mr. Chairman.

The CHAIRMAN. The committee will be in order.

Mr. LOUD (continuing). Who were members of the Missouri Enrolled Militia; and while I believe that Congress has in the past gone to the extreme limit of generosity in according pensions, it never has yet considered it wise to extend the pension laws to those regiments and companies which performed at best a mere nominal service.

It does not appear in the report that this man who rendered the service ever received a pension. The country never saw fit to reward him for all his services to the old flag. Neither have they ever by general law taken in the many thousand others who rendered probably as meritorious service as this man did. Yet you take up a sympathetic case; the woman he says is blind. Unfortunately there are many blind people in the world. Unfortunately there are many people in the world that are poor; but I say that

any member of Congress transgresses his oath when by his vote and action he puts his hand into the public Treasury to compensate a person because he is blind and because he is old.

Oh, you can laugh to scorn my friend from South Carolina. I had about made up my mind to not enter this field again, because it can only break by the weight of its own wickedness; and if you are permitted to pass sixty or eighty cases per hour, then that fact alone will so arouse the sentiment of the people of this country that I believe you ultimately may be brought to a realizing sense of the shameful acts of Congress in rushing pension cases through here as no other class of legislation ever was attempted. Why, if a case comes up here to pay for a mule that was stolen or lost during the late war, the report must be read and discussed for an hour. Yet you attempt to laugh to scorn a man who asks for the reading, or the partial reading, of a report upon a case where you must admit that you have gone beyond the point of reason.

Now, let us assume that this woman was entitled to a pension under the law. She would get \$8 a month, Mr. Chairman; but, from the fact that her husband had no pensionable status, you give her \$20 a month. My attention was drawn to a case that came up this afternoon, which provoked some discussion, where you gave a widow whose husband had been absent twenty years, whose death was presumptive, \$8 a month. And yet, if she had been a remarried widow, you would have given her \$12 a month. If she had broken the laws of the land, you would have given her \$12. Where in any court of justice in the land this woman could have claimed her right, then you give her what the law permits her to have, and gentlemen rise here and refute the charge the gentleman from South Carolina made that the committee is dishonest. No; what he says is true; you are all human, you are all liable to err, the same as other people.

I say to you that your course in reporting cases is not consistent; it can not be successfully claimed as consistent; and later on you will reach that point where you will be confronted with a condition that will be more serious to you and to the country than any that has yet confronted us, when the widow of every officer that was killed in the late unpleasantness will be knocking at our doors for a pension. You can not reconcile them with consistency, as you will no doubt attempt. If you want to be fair to yourselves and honest to the country, do not take Mrs. A here and Mrs. B there, and Mrs. C in another place, because she happens to have a Representative upon the floor of this House who is interested in her to give her a pension of \$5, \$10, or \$50 a month more than the law gives her, for you will find another who is too modest to come here and beg at your doors. Then you will be confronted with a serious problem.

Now, then, coming back to this case. If you think this widow ought to have a pension, her husband never having had a pensionable status, have the manhood and courage to add a few thousand more to the pension rolls and take in all the Missouri Enrolled Militia.

Mr. MIERS of Indiana. Mr. Chairman, in response to what the gentleman has said in reference to the consistency of the committee, I want to say a word. He says that we propose to pension this woman because she is 70 years old and nearly blind. No. If the gentleman will go to the records, he will find that this woman was the wife of a captain of the militia over in Missouri, just on the line where the war raged one way and the other. Her husband served two hundred and forty-seven days. The State of Missouri paid the captain as well as the members of the company for the two hundred and forty-seven days' service.

Not only is that true, but the Federal Government reimbursed the State of Missouri and paid it back. Here is this old mother, 70 years old, who gave her husband 247 days for the nation's services. Missouri has paid it, the Government has paid it; but because the Government did not pay it first, pay for his services originally, the Pension Department under the law is not permitted to grant either the old soldier or the widow a pension. Then where shall she go? She must come here.

I grant you that the law is not what it ought to be. I grant you there ought to be a law passed to put that class of widows on the eligible pension list. But Congress has not done it; and if you apply the rule of the gentleman who says that if some mule has been stolen you have got to file your claim, and after filing it have got to wait until it is reported, and then wait day after day for action on the report—if that is to be the rule in this case, what is to become of this old widow, 70 years of age, now on the road to the poorhouse?

Mr. Chairman, there may be some question about some of these bills; but when the case is one where the claimant has no pensionable standing we have no right to say aught against the Pension Department. This lady is the widow, and during the war was the wife of a captain; and I submit she is entitled to the \$15 a month which the Senate bill gives her.

Mr. LOUD. Does the gentleman assume or does the testimony in the case tend to show that this captain died as the result of disability incurred in the service?

Mr. MIERS of Indiana. It does not.

Mr. LOUD. Then would she be entitled to more than \$8 a month?

Mr. MIERS of Indiana. She would be entitled to \$12 a month, under the pension law, at the Bureau—

Mr. LOUD. I hardly agree with the gentleman.

Mr. MIERS of Indiana. Here is the case of a widow 70 years of age. I grant that the committee on the floor of the House has not been as liberal as the Senate committee, but when the Senate committee has reported in favor of giving her \$15 a month, rather than take the chances, rather than have her put in the catalogue where the gentleman from California would put her, rather than weigh this widow's pains and aches alongside those of some old, crippled mule, we decided that we would recommend the passage of the bill as it came from the Senate. I trust there is patriotism enough, justice enough—yes, money enough in the Treasury—to enable us to rise to the demands of this occasion and put this bill through just as it came from the committee.

There being no objection, the bill was laid aside to be reported favorably to the House.

AMOS H. GOODNOW.

The next business on the Private Calendar was the bill (S. 1721) granting an increase of pension to Amos H. Goodnow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amos H. Goodnow, late of Company C, Thirtieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

Mr. TALBERT. I ask that the report be read.

The CHAIRMAN. If there be no objection, the report will be read.

The Clerk proceeded to read the following report:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1721) granting an increase of pension to Amos H. Goodnow, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 269, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1721) granting an increase of pension to Amos H. Goodnow, have examined the same and report:

A similar bill was introduced in the Senate during the Fifty-fifth Congress, reported favorably, and passed the Senate.

The report was as follows:

"The records of the War Department show that this soldier was mustered into service as a private in Company C, Thirtieth Iowa Infantry, and that he was wounded in battle. Certificate of disability for discharge, May 24, 1865, reports: 'Wounded in action at battle of Resaca, Ga., resulting in amputation of leg.' The surgeon reports: 'Loss of right leg by amputation at middle third from gunshot wound received at battle of Resaca, Ga., May 13, 1864. Disability, total.'"

"He was pensioned at \$8 per month from May 24, 1865; increased to \$15 from June 6, 1866; to \$18 from June 4, 1872; to \$24 from March 3, 1883, and to \$30 from August 4, 1886.

"August 30, 1890, he applied for increase. The medical referee refused to order an examination, on the ground that the evidence showed that soldier could and did wear an artificial limb. An examination was considered unnecessary, as it would not alter the status of the case.

"After rejection of this claim an appeal was taken to the Secretary of the Interior, who affirmed the action of rejection, holding that it was shown by the evidence that the leg was not totally disabled, and hence he was receiving all the pension to which he was entitled. No effort has been made to secure increase at the Pension Office since rejection in 1891.

"Evidence on file with the committee shows that claimant suffers constant pain in the limb, and that he can not wear the artificial limb furnished by the Government, but uses one of his own make.

"Your committee are of opinion that this is a case where some degree of relief should be accorded by Congress, and accordingly recommend the passage of the bill."

The foregoing report is adopted, and the passage of the bill recommended.

Mr. SIBLEY (before the reading of the report was concluded). I move that the further reading of this report be dispensed with.

Mr. SIMS. Mr. Chairman, is not this motion debatable? In this case the pension proposed to be paid is \$40, and I think we are entitled to know the reasons on which the bill is based.

Mr. SIBLEY. This is a case of the loss of a leg—

The CHAIRMAN. The Chair will state that the proper course for the gentleman from Pennsylvania [Mr. SIBLEY] would have been to object to the further reading.

Mr. MIERS of Indiana. I hope we shall allow this report to be read. While I would not myself ask for the reading of the report, yet the request seems to be practically fair. The report will show the merits of the claim thoroughly.

Mr. SIBLEY. The question is not what the report shows; but if we pass 100 of these pension bills, it will cost the Government \$36,000; and the time we are wasting in the reading of these reports is going to cost the Government just as much as or more than the passage of all the pension bills on the Calendar.

Mr. TALBERT. If the reports were not read, would we not still remain here?

Mr. SIBLEY. I do not think we would be here, or we would at any rate get through more quickly with our business.

Mr. TALBERT. The gentleman might not be here, because he hardly ever is here. We do not know where he is. He is like a flea—in politics and everything else.

The CHAIRMAN. The Clerk will proceed with the reading of the report.

The reading of the report was resumed and concluded.

Mr. COWHERD. I would like to put a question either to the chairman of the committee or to some other member. The other day, when calling on the Department in reference to a bill in which Congress had provided by legislation what allowance should be made for certain disabilities, I was informed that a pension of over \$17 a month was not allowable under the law unless the disability was equal to the loss of a hand or a foot, in which case the pension would be \$24 a month; and that if both hands or both feet were lost the pension would be only \$30 a month. Now, as I understand, this applicant has lost one foot, and we propose to make the pension \$40. Is not that larger than the law allows for a corresponding injury?

Mr. CALDERHEAD. I do not remember what the testimony in the case was, except in a general way. My recollection is, however, that the testimony shows that this man is entirely enfeebled; that he is worn out by pain from the disabled limb. There is a disability there that is practically total and permanent.

Mr. COWHERD. If the gentleman will allow me to interrupt him at this point and permit me to renew my question I wish to say that my point is this: I suppose, of course, that the committee desires in these special cases to put the party on the same general plane of others who are on the pension roll under the general law and who get their pensions through the Department?

Mr. CALDERHEAD. Certainly.

Mr. COWHERD. Now, if I am correct, the pension under the law in this case will be \$24 or \$30 for this disability?

Mr. MIERS of Indiana. If the gentleman will allow me, I will state that this report is not as full as it ought to be. If this foot were off below the knee so much or above the knee so much, it would entitle him to a pension under the general law at such and such a rate. But in addition to the disability there are peculiar surroundings in the case of this old soldier which are such as to deprive him of all means of usefulness and all opportunity of earning a living for himself. He is old, as I am informed, ill, emaciated, and scarcely able to get about, and is absolutely senile, and the trouble is one not arising entirely from the absence of the limb itself, but from peculiar conditions surrounding it.

The report should have gone very much further and shown the condition of the soldier. I grant you that the gentleman from Missouri is right, and it shows the necessity of the reading of the reports and also the necessity of having the reports complete in their details, so that the House may readily understand the question presented.

But this is not a case like that of a foot cut off or the disability arising from the loss of a foot. This old man, as I understand the testimony, is utterly broken down in health, emaciated in body, senile, as I remember the case, and the committee thought, under the circumstances, that the increase to \$40 was but fair and right. I admit that an increase of pension of this character should never be made unless there is something in the case that fully warrants such an increase.

The CHAIRMAN. Without objection, the bill will be laid aside to be reported to the House with favorable recommendation.

There was no objection, and it was so ordered.

MARIA A. THOMPSON.

The next business on the Private Calendar was the bill (S. 2622) granting a pension to Maria A. Thompson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria A. Thompson, widow of Charles A. Thompson, assistant surgeon, Thirteenth, and surgeon, Ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. TALBERT. Mr. Chairman, I rise now to ask the reading of the report.

The CHAIRMAN. Without objection, the report will be read.

Mr. TALBERT. I hope gentlemen will allow reports in all these cases to be spread upon the RECORD, so as to show to the House and the country the reason for the action taken. I think it nothing but just and right, and I do not do this in order to kill time; but I submit that the report should be read for the information of the House.

The CHAIRMAN. The report will be read in the time of the gentleman from South Carolina.

Mr. SULLOWAY. The report will go upon the record whether it be read or not.

Mr. TALBERT. The facts embodied in the report should be in possession of the House before being called upon to vote. Besides that, reports do not always go into the records.

Mr. SULLOWAY. The House does not manifest a great appetite for them; but still the gentleman may desire to be gratified in that respect.

Mr. TALBERT. It is not a question of that kind. It is a

question that I raise for the information of the House and the country.

Mr. CALDERHEAD. I wish to say, in reply to the gentleman, that the report ought to set out all the reasons which operated with the committee in making its recommendation. They usually attempt to give a full statement of the reasons. The report in this case, however, is a very brief one. We have given this woman what she would have been entitled to under the law. We have given to her this pension for the reason that the evidence in the case before the committee, we believed, warranted us in determining that the death of her husband was traceable to his Army service. The Pension Department, however, did not accept the evidence upon which the House committee acted. For that reason they rejected the claim in the Department. We did accept it, and have made an allowance of \$12 a month; and therefore the gentleman can be satisfied when the report goes into the RECORD that it contains a history of the reasons on which the committee made the allowance.

Mr. TALBERT. I ask for the reading of the report.

The CHAIRMAN. The report will be read in the time of the gentleman from South Carolina.

Mr. GAINES. Mr. Chairman, a parliamentary inquiry. Has the Chair ruled that no member has a right to have these reports read?

The CHAIRMAN. The Chair has not ruled that.

Mr. GAINES. Is that the rule of the House?

The CHAIRMAN. The report is now in process of being read in the time of the gentleman from South Carolina.

Mr. GAINES. I do not care to hear it; but suppose I call for the reading of a report. Have I not that right, under the rule of the House?

The CHAIRMAN. Not if objection is made. No member can call for the reading of a report if objection is made, unless the House votes to hear the report read.

Mr. GAINES. What on God's earth are the reports printed for, if not to enlighten the House?

Mr. MORRIS. They are printed for the members to read.

Mr. GAINES. Let me ask how far back does that ruling go?

Mr. GROSVENOR. It only goes back to Jefferson's Manual; that is all. A part of the rules of the House absolutely prohibits the reading of a report against the objection of a member, unless the House votes that it may be read.

Mr. GAINES. I do not understand that we are in the House now; we are in the Committee of the Whole.

Mr. GROSVENOR. Well, I speak of the House in the proper sense.

The CHAIRMAN. For the information of the committee the Chair will ask the Clerk to read the rule.

The Clerk read as follows:

When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any member, it shall be determined without debate by a vote of the House.

Mr. GAINES. Is this report to be considered a paper, a newspaper? It is an official document of this House.

Mr. GROSVENOR. The bill is the thing that the House has to vote upon and not the report. This rule goes back to Jefferson's Manual, and has never been disputed by anybody who knew anything about parliamentary procedure. [Laughter.]

The bill was ordered to be laid aside with a favorable recommendation.

HATTIE E. REDFIELD.

The next business on the Private Calendar was the bill (S. 1250) granting a pension to Hattie E. Redfield.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hattie E. Redfield, widow of Charles E. Redfield, late second lieutenant Company A, Forty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$15 per month.

The bill was ordered to be laid aside with a favorable recommendation.

EUDORA S. KELLY.

The next business on the Private Calendar was the bill (S. 2220) granting an increase of pension to Eudora S. Kelly.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eudora S. Kelly, widow of James R. Kelly, late captain, Third Artillery, United States Army, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HERMAN PIEL.

The next business on the Private Calendar was the bill (S. 1309) granting an increase of pension to Herman Piel.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Herman Piel, late of Company B, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELI J. MARCH.

The next business on the Private Calendar was the bill (S. 1960) granting an increase of pension to Eli J. March.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eli J. March, late of Company I, Third Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

OSCAR TAYLOR.

The next business on the Private Calendar was the bill (S. 1298) granting an increase of pension to Oscar Taylor.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oscar Taylor, late captain Company D, First Regiment Minnesota Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SARAH R. BURRELL.

The next business on the Private Calendar was the bill (S. 1268) granting a pension to Sarah R. Burrell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah R. Burrell, widow of Andrew J. Burrell, late captain Company A, Fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MRS. ARETHUSA WRIGHT.

The next business on the Private Calendar was the bill (S. 346) granting an increase of pension to Mrs. Arethusa Wright.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Arethusa Wright, widow of Emanuel Wright, late of Company B, Thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES M. SIMERAL.

The next business on the Private Calendar was the bill (S. 1255) granting an increase of pension to James M. Simeral.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Simeral, late first lieutenant Company L, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LIZZIE H. HYNDMAN.

The next business on the Private Calendar was the bill (S. 261) granting an increase of pension to Lizzie H. Hyndman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie H. Hyndman, widow of William Hyndman, late captain, Fourth Regiment Pennsylvania Volunteers, and pay her a pension at the rate of \$20 per month in lieu of the pension she is now receiving.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report. I thought it was agreed that the reports should be read.

Mr. BENTON. I object.

The CHAIRMAN. The gentleman from South Carolina moves that the report be read.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TALBERT. I demand a division, Mr. Chairman.

The committee divided; and there were—ayes 4, noes 36.

Mr. TALBERT. No quorum, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina makes the point of no quorum. The Chair will ascertain. [After counting.] One hundred and four gentlemen present, a quorum. The noes have it; and the reading of the report is refused.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY FRANK.

The next business on the Private Calendar was the bill (S. 1769) granting an increase of pension to Henry Frank.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject otherwise to the provisions and limitations of the pension laws, the name of Henry Frank, late of Company G, Thirty-ninth Regiment of Illinois Volunteer Infantry, and pay him a pension at the rate of \$15 per month in lieu of the pension he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS JORDAN.

The next business on the Private Calendar was the bill (S. 1228) granting an increase of pension to Thomas Jordan.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Jordan, late of Company G, Sixty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY E. LAW.

The next business on the Private Calendar was the bill (S. 2636) granting an increase of pension to Mary E. Law.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Law, widow of Richard Law, late captain, United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

JERUSHA W. STURGIS.

The next business on the Private Calendar was the bill (S. 677) granting an increase of pension to Jerusha W. Sturgis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jerusha W. Sturgis, widow of Samuel D. Sturgis, late brigadier-general, United States Volunteers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

HENRY ATKINSON.

The next business on the Private Calendar was the bill (S. 833) granting an increase of pension to Henry Atkinson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Atkinson, late of Company G, One hundred and eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report.

Mr. GIBSON. I object.

Mr. UNDERWOOD. Mr. Chairman, I want to say a few words on this bill. I want to say that I have been a member of this House in former Congresses, and I never objected to the reasonable consideration of any measure. I do not think that more than once or twice during the history of my legislative career have I voted against a pension bill on the floor of this House. I believe that the men who fought for the Union are entitled to a fair, reasonable, and just pension—that they should be paid in meritorious cases.

I have no sympathy with any filibustering tactics to delay the procedure of this House; but I do say to gentlemen on the other side of this Chamber, and to gentlemen on this side, that when a member stands in his place and desires a report to be read for the information of himself and members, that he may know intelligently what he is voting on, it is as reprehensible to deny him that privilege as any filibustering tactics that can be pursued on either side. We come here, men like myself, who have not a pension bill before the committee—come here in your interest to make up a quorum, and we are entitled to have the information that we seek, and not be led blindly to the desk to vote on what we know nothing about.

Mr. GIBSON. Will the gentleman yield to me?

Mr. UNDERWOOD. Not now; I do not care to be interrupted. I say it is an injustice, when a report is requested to be read, to apply the strict letter of the rule. Gentlemen come here to make up a quorum, and they have a right to understand and know upon what they are voting.

Mr. GIBSON. Will the gentleman allow me a question now?

Mr. UNDERWOOD. Yes, a question.

Mr. GIBSON. I will ask the gentleman if reports in any other cases are ever read to the House?

Mr. UNDERWOOD. Of course they are.

Mr. GAINES. Always when requested.

Mr. GIBSON. Reports from the Committee on Ways and Means and the Appropriations Committee? Never.

Mr. UNDERWOOD. Very frequently reports are read, except in cases where there is protracted debate, and then the members explain the bills themselves. There is hardly ever a bill that comes up by unanimous consent that the report is not read. The object of reading the report is to save time and delay. It would be impossible for every member of the House to take up the pension bills and reports and read and examine them before they come up. If he did, he could not do anything else. Now, when a bill is read at the desk and a member desires further information, I say it is worse than any filibustering tactics to prevent that member from having a just understanding of what he is about to vote for.

Mr. GIBSON. Mr. Chairman, I wish to say that the rule in this House, ever since I have been a member, now for five years, has been to take the action of the House committees as based upon proper evidence and their conclusion as the result of honest action and good faith. We have bills here appropriating tens and hundreds of millions of dollars; and not since I have been a member of this House has a solitary one of the reports on these bills ever been read.

Mr. GAINES. Then why do you have the reports printed? Why not bring the bill in without any report?

Mr. GIBSON. I am glad the gentleman asked that question. They are printed for the information of the members, so that if a member wants a report of the reasons for the bill he can go to the document room and get it.

Mr. GAINES. I understand there are not enough reports there to go round.

Mr. GIBSON. The object of printing the report is not to have it read in the House, but for the information of individual members who wish to investigate the matter and inform themselves with reference to the subject to which the bill relates. If this House should adopt the practice of reading all the reports, business would be so greatly delayed that it would be impossible in the course of two years to dispose of the public business. The practice is not to read the reports, and never has been since I have been in Congress. When the reading of the reports is called for, in nine times out of ten the object is to create delay. That is the object, the main object, and oftentimes the only object, in calling for the reading of reports upon special pension bills.

The Invalid Pension Committee is composed of men of both political parties. Since I have been a member of that committee, now over three years, no question of politics has ever been raised there. It is indistinguishable to an observer who are the Democratic members of the committee and who are the Republican members; nobody could tell from the action of the committee whether the individual members were Republicans or Democrats. We have looked at the cases before us from the broad standpoint of a charitable patriotism.

I have heard members say, "This man or this woman does not come under the law." Why, sir, if they came under the law, there would be no need for special bills. The object of special bills is to provide for meritorious cases which do not come under the law and also to provide for cases where, in consequence of the generality of the law or in consequence of harsh adjudications by the Pension Bureau, we feel that adequate justice has not been done to some deserving soldier or some widow of a deceased soldier.

Mr. Chairman, we have had a number of these reports read today. In what case has this committee been "turned down?" We hear talk about "fraudulent pensions." What "fraudulent pension" has been recommended by the Invalid Pension Committee? Not one. Where is the member who can rise on this floor and put his finger upon a single "fraudulent pension?" We hear talk about "coffee coolers" and "bounty jumpers" and "deserters." What bill reported by this committee has pensioned any coffee cooler or bounty jumper or deserter? Not one. The fact is that the action of the Invalid Pension Committee—

Mr. MIERS of Indiana. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MIERS of Indiana. What is the subject under discussion?

The CHAIRMAN. The subject under discussion is the request to have the report read and the refusal of that request.

Mr. MIERS of Indiana. I wish we might get at the question.

Mr. GIBSON. Mr. Chairman, it is very easy for members to get up here and talk about pensioning "bounty jumpers" and "coffee coolers" and "deserters," but this House is not in that business; the Invalid Pension Committee is not in that business, and the man who talks about pensioning those classes of people is not only slandering the committee, but is also casting an unjust,

unmerited, and unpatriotic aspersion upon deserving soldiers and deserving widows of soldiers who are being pensioned.

Mr. MIERS of Indiana. I make the point of order that the gentleman is not discussing the question at issue.

Mr. GIBSON. I am discussing the very question at issue—whether this report ought to be read. That is the very matter I am discussing.

The CHAIRMAN. The Chair was in error in stating that the pending question was a motion. The motion was objected to, and, under the parliamentary conditions, that motion is not debatable. Does the gentleman from Tennessee desire to proceed in order? If so, the Chair will recognize him in his own time to speak on the bill.

Mr. MIERS of Indiana. I make the point of order that there is no question now pending upon the bill. It is simply a motion—

A MEMBER. An objection.

Mr. MIERS of Indiana. An objection; and must be passed on without debate.

Mr. GIBSON. I wish to say this: The gentleman from Indiana has occupied very considerable time of this House—

The CHAIRMAN. The point of order of the gentleman from Indiana is well taken.

Mr. MIERS of Indiana. Then I insist on it.

The CHAIRMAN. Does the gentleman from South Carolina [Mr. TALBERT] insist upon his motion that the report on the bill now pending be read?

Mr. TALBERT. "The gentleman from South Carolina" does not recollect to have made that motion in this case. But if any gentleman wants the report read, I would be glad to hear it. The gentleman from Tennessee has occupied a good deal of time—

Mr. GRAFF. Will the gentleman permit me to state the facts in this case?

Mr. TALBERT. Certainly.

Mr. GRAFF. Three years' service in the war of the rebellion; rheumatism, ankylosis, general debility, nervous prostration—all the result of Army service.

Mr. TALBERT. And the fellow is not dead yet!

Mr. GRAFF. The soldier was alive when the report was made.

Mr. TALBERT. Well, let him have the pension. God knows, if he is not dead, I would be in favor of granting \$100 to have him buried. [Laughter.]

There being no objection, the bill was laid aside to be reported favorably to the House.

JAMES A. SOUTHARD.

The next business on the Private Calendar was the bill (S. 1264) granting an increase of pension to James A. Southard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Southard, late of Company K, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and Company K, One hundred and fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$34 per month in lieu of that he is now receiving.

There being no objection, the bill was laid aside to be reported favorably to the House.

ANNIE A. GIBSON.

The next business on the Private Calendar was the bill (S. 2742) restoring to the pension roll the name of Annie A. Gibson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie A. Gibson, widow of James Walters, of Company E, Thirty-eighth Regiment Massachusetts Volunteers, and pay her a pension at the rate of \$12 per month.

There being no objection, the bill was laid aside to be reported favorably to the House.

Mr. GAINES. Mr. Chairman, I would like somebody to tell us why this party was placed upon the pension roll and taken off again and also why the restoration is made. I do not ask for the reading of the report, but some brief explanation will be satisfactory. There must be some reason for the action of the committee.

Mr. SULLOWAY. I will state to the gentleman from Tennessee that this is to restore a remarried widow to the rolls. She is old—58 years of age—nearly blind, and without property. Her pension was at this rate before her remarriage to the second husband, who is now dead.

Mr. MIERS of Indiana. She was a widow of the soldier during the war?

Mr. SULLOWAY. Yes.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JULIA M. EDIE.

The next business on the Private Calendar was the bill (S. 3017) granting an increase of pension to Julia M. Edie.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia M. Edie, widow of John R. Edie, late captain, Ordnance Department, United States Army, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JOSEPH W. SKELTON.

The next business on the Private Calendar was the bill (S. 2351) granting an increase of pension to Joseph W. Skelton.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph W. Skelton, late first lieutenant, Company F, Seventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM PADGETT.

The next business on the Private Calendar was the bill (S. 2942) granting an increase of pension to William Padgett.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Padgett, late of Capt. David J. Miller's company, Georgia Militia, Seminole Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 8 strike out "thirty" and insert "twenty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JEREMIAH B. MOORE.

The next business on the Private Calendar was the bill (H. R. 3224) granting a pension to Jeremiah B. Moore.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Jeremiah B. Moore, late a sergeant of Company K, First Massachusetts Volunteers, in the Mexican war, and subsequently lieutenant-colonel of the Third Regiment California Volunteer Infantry in the war of the rebellion, and pay him a pension of \$30 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 9 strike out the word "thirty" and substitute therefor the word "twenty," so as to fix the rating at \$20 per month, in accordance with precedents in similar cases.

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

Add to the end of the bill the words "in lieu of that he is now receiving." Amend the title so as to read: "A bill granting an increase of pension to Jeremiah B. Moore."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

FLORA B. HINDS.

The next business on the Private Calendar was the bill (H. R. 4368) for the relief of Flora B. Hinds.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Flora B. Hinds, late a nurse in the Spanish war, and to pay her a pension at the rate of \$20 a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Amend the title so as to read: "A bill granting a pension to Flora B. Hinds." Strike out "twenty," in line 6, and substitute therefor the word "twelve."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

J. J. ANGEL.

The next business on the Private Calendar was the bill (H. R. 1381) granting a pension to J. J. Angel.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of J. J. Angel, late Second Company, Second Regiment Tennessee Volunteers, Indian war, and to pay him a pension at the rate of \$24 per month, and this pension so paid shall be in lieu of pension that claimant is now drawing under certificate No. 2384.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to James J. Angel."

In line 6 strike out "Jet." and insert "James;" in the same line strike out "Second Company, Second Regiment" and substitute therefor "corporal of Captain McClelland's company."

In line 8 strike out "twenty-four" and insert in lieu thereof the word "twelve."

Strike out all in the bill after the word "month," in line 8, and substitute therefor the words "in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LILLIAN CAPRON.

The next business on the Private Calendar was the bill (S. 1905) granting an increase of pension to Lillian Capron.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lillian Capron, widow of Allyn K. Capron, late captain Troop L, First Regiment United States Volunteer Cavalry, war with Spain, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

Strike out "forty" and insert "thirty;" so that it will read: "\$30 per month."

Mr. MIERS of Indiana. Mr. Chairman, I hope this House amendment will not prevail. This bill has passed the Senate at \$40. If I am correct in the bill, this lady was the mother of Captain Capron—

Mr. LOUDENSLAGER. I think the gentleman has the wrong bill.

Mr. BROMWELL. There are two Capron bills.

Mr. LOUDENSLAGER. This is not the bill the gentleman from Indiana has in mind.

Mr. MIERS of Indiana. Then I will withdraw what I have said; but if this is the bill for the lady who is the wife of Captain Capron, who died of fever, and who afterwards lost her son during the late war, he being killed in battle—

Mr. LOUDENSLAGER. This is not the bill.

Mr. MIERS of Indiana. Very well; I will withhold what I desired to say until that bill is presented.

Mr. O'GRADY. I should like to know myself, Mr. Chairman, why this bill is to be cut down from forty to thirty dollars per month. I did not hear the explanation of the chairman of the committee.

Mr. LOUDENSLAGER. Mr. Chairman, I would say that this bill represents the maximum amount agreed upon by the Committee on Pensions for all widows of officers holding this rank and grade. The committee did not come suddenly to their conclusion of what they deemed was right and proper in these cases, but after giving the matter due consideration; not considering the one isolated case, but all of the cases that were presented to them. In their judgment they believe that \$30 a month is as much as ought to be allowed to the widow of any officer of this rank and grade.

Mr. BROMWELL and Mr. O'GRADY rose.

The CHAIRMAN. The gentleman from New York.

Mr. O'GRADY. I yield to the gentleman from Ohio [Mr. BROMWELL].

The CHAIRMAN. The gentleman from Ohio [Mr. BROMWELL] is recognized.

Mr. BROMWELL. Mr. Chairman, in addition to what the chairman of the Committee on Pensions has said, I also, as a member of that committee, desire to say that in the matter of all claims that have come before it we have endeavored to be entirely consistent. As the chairman said, we did not take up the first claim that was presented to the committee and fix an arbitrary rate. Neither did we feel that we were bound to adopt the rate fixed by the Senate, because it is a well-known fact that nearly every bill, without regard to the merits of the bill, comes from the Senate with rates allowed far in excess of what has been allowed in the past to meritorious claimants, either before the Committee on Pensions or the Committee on Invalid Pensions.

Mr. GAINES. I should like to ask the gentleman a question.

Mr. BROMWELL. Just let me finish, and then I will answer any question gladly. Now, it seemed to us that the fairest way of reaching reports on these claims—and there are a great many of them, and all of them asking for high rates of pensions, very few less than \$50 a month—it seemed to us that before taking up the consideration of any one claim the committee should carefully consider a plan by which all claims could be fairly adjusted.

With that object in view we fixed a maximum rate that should be allowed according to the grade of the soldier. We fixed a rate for lieutenants, captains, majors, lieutenant-colonels, colonels, brigadier and major generals, and that rate we have attempted to adhere to strictly and conscientiously as the maximum rate to be

allowed. Where there were any circumstances connected with the claim which would show that there was an income independent of the pension the committee have not reported the maximum rate. Where, however, the claimant had nothing but the pension, and there were no special reasons, either on account of the gallantry of the soldier or the circumstances of the beneficiary, to call for a specially high rate, we have made discriminations and have not reported, as a rule, the maximum amount.

Now, in regard to this particular claim, and others which are going to follow, I will not yield to any gentleman in this House in my admiration and respect for the services of the men who went into the Spanish war and made such a magnificent record for themselves and the country; but I call attention to the fact that, distinguished as those services were, there were thousands of others during the civil war who were equally distinguished and who rendered services equally meritorious; and I for one do not see any good reason why, in the temporary excitement of the present day, we should ignore the claims of the old soldiers and their widows of the civil war by making a rate of fifteen or twenty dollars to them and a rate of forty or fifty dollars to those of the Spanish war.

There were two Caprons, father and son. Their services were distinguished, their conduct gallant, and both died as the result of the Spanish war. The first of these claims is that of the widow of one of these officers. Under the law she would not be entitled to what this bill gives her, even with the House amendment. We are giving her as a bonus an amount in excess of what, under the law, she is entitled to. She went to the Pension Bureau, the facts were all taken into account, the law was taken into account, and she was given a maximum rating and allowed a maximum pension there. Without any additional facts before the committee than what went before the Pension Bureau, the committee nevertheless felt that it was a case where they might, in view of the legislation of this House increasing pensions, give an additional amount on this claim, and we gave her the maximum allowed under our rule.

The action of the Pension Committee has been uniformly consistent in these claims. If you increase any one of them, then in fair justice you will have to increase every claim that is reported from the Pension Committee. We have carefully examined all the facts. We have taken into account the circumstances, pecuniary and otherwise, the physical condition and everything that goes to enter into the question of sympathy in these cases, and we have attempted to act honestly and consistently in every one of them.

Mr. GAINES. Now will the gentleman allow me?

Mr. BROMWELL. Certainly.

Mr. GAINES. Will the gentleman please state the difference between the two bills as to the amount recommended?

Mr. BROMWELL. That is, the first Capron bill—

Mr. GAINES. The bill that is now before the committee.

Mr. BROMWELL. The first Capron bill is for \$30 and the other is for \$25; and I will explain to the gentleman, although it is a little in advance of the other bill, why we make the distinction. In this case of Lillian Capron she has nothing but the pension; in the case of Agnes Capron, which follows a little further on on the Calendar, she has an income independent of the pension, which would, with the pension, make more than \$30.

Mr. GAINES. Now, I understand the Senate has passed a bill which gives this party so much money, and that the House has recommended another figure. Why is the difference between the amounts?

Mr. BROMWELL. The Senate allowed \$40 per month, and the House amendment allows \$30. I appeal to gentlemen of the House in this initial case, which is the first one, probably, of a number where an attempt will be made to increase these pensions—I appeal to you to be consistent in this matter.

Mr. GAINES. The point you are making is that they are giving a higher figure for the same service than was done in the civil war.

Mr. BROMWELL. I state to the gentleman that there are thousands of pensioners who are widows of officers of the same grade of Captain Capron, and with the same merit, so far as that is concerned, and are getting less money than would be given under this House committee amendment.

Mr. GAINES. Then you object to these large pensions?

Mr. BROMWELL. I object to any enormous increase in these pensions.

Mr. GAINES. Over that which is allowed for the civil war.

Mr. BROMWELL. This is the first case you have growing out of the Spanish war, and it is the first attempt to increase the pension over the report of the Pension Committee. I think it is excessive to allow \$40, the amount fixed by the Senate, and I hope the committee will not consent to that amount.

Mr. DE VRIES. What is the amount recommended by the House committee?

Mr. BROMWELL. The House bill recommends \$30 a month.

Mr. DE VRIES. This is the case of the wife and not the mother?

Mr. BROMWELL. This is the case of Lillian Capron. They are both widows; one is the widow of the father and the other of the son.

Mr. SIMS. Mr. Chairman, I want to say a few words, and I hope the committee will give me its attention. I want to indorse every word that has been said by the gentleman from New Jersey [Mr. LOUDENSLAGER] and the gentleman from Ohio [Mr. BROMWELL]. I have served on that committee, and know they make absolutely no discrimination. They take up every case and investigate it on its merits and try to be consistent. While I served on that committee we never permitted the Senate to go above our rules of what we thought was right, and they have a disposition to do right. I think the committee ought to stand by the rules they have made. They have a maximum amount, and yet they might vary in very exceptional cases. I know at the last session, before pension certificates were hardly issued, a very distinguished gentleman came before that committee and asked us to increase pensions above that given by the law because the matter was recent and the grief was sharp.

Mr. Chairman, the war with Spain technically is over. But the war over the results of that war is not over, and we do not know when it is going to be over; and if we set an example here of almost instantly doubling up and increasing the pensions of the widows of the Spanish war, what are you going to say about the enormous cost of the increase of all widows pensioned up to the same level? Now, this committee have given \$30 a month, which is quite a considerable pension; and there ought to be extraordinary reasons advanced why more should be given and why the rule of that committee should be overridden. They commence with a minimum, and if we increase and increase over the increase, where is this matter going to end?

I can not give the details of this case better than they have been given. I am so well acquainted with the members of this committee that I hope this House will not make this initial case more than the amount that the committee has recommended, which is a reasonable and just one, and I hope the House will leave it to the committee hereafter. Put it at \$40 and disregard the committee, and then what are you going to do with each and every one that follows? I hope the House will sustain the action of the Committee on Pensions and sustain the amendment, and make this \$30 instead of \$40. [Cries of "Vote!"]

Mr. GREEN of Pennsylvania. Mr. Chairman, this is an initial case, and we all know these people. I think we might as well start off and grant fair pensions to the families of the few men that have been killed in the Spanish war. In this time, when this particular war was fought, the necessities of life are higher, and \$40 to-day would not be as much as \$30 would be ten or fifteen years ago.

Mr. BROMWELL. May I ask the gentleman a question?

Mr. GREEN of Pennsylvania. Yes, sir.

Mr. BROMWELL. If the gentleman says \$40 to-day is not so much as \$30 would be several years ago, while the old pensioners are only getting \$30 a month to-day, does my friend think that \$30 will go any further with them than with the Spanish war widows?

Mr. GREEN of Pennsylvania. I can not say; but there are many reasons why we should be liberal with these. I think at this time we are capable of being more liberal than we were in the civil war. I can not see why in pensions granted to the widows of men killed in the Spanish war we can not be liberal. We are talking about \$10 a month. There is no man here but what knows a young woman who loses her husband can not be compensated by a pension of \$10. We should look at this matter now in a liberal way; and for one on the Democratic side of the House I propose in all these matters of the Spanish war pensions to be consistent in giving all these people the same alike. The work which the soldiers in the late Spanish war accomplished entitled them to all the credit that is properly belonging to them, and it touched our sympathy in this country; and this country will receive a benefit far greater in amount from that war than will be received from any other war.

Mr. LOUDENSLAGER. Will the gentleman allow me a question?

Mr. GREEN of Pennsylvania. Yes.

Mr. LOUDENSLAGER. The gentleman spoke of the few numbers of pensioners in the Spanish war. Does he know how many have been filed?

Mr. GREEN of Pennsylvania. I know there are many applications, but few applications of widows for the loss of husbands and sons have been allowed. They have undoubted rights, and we should not deny them because people who have no right to a pension have filed so many claims—

Mr. LOUDENSLAGER. I ask if the gentleman knows the number?

Mr. GREEN of Pennsylvania. You mean how many altogether?

Mr. LOUDENSLAGER. There are very nearly 29,000 already filed.

Mr. GREEN of Pennsylvania. How many men were killed in the Spanish war?

Mr. LOUDENSLAGER. I do not know.

Mr. GREEN of Pennsylvania. How many widows are there on account of loss of husbands, or how many women have lost sons by being killed in the Spanish war?

Mr. LOUDENSLAGER. I do not know.

Mr. GREEN of Pennsylvania. I would like to ask the gentleman from New Jersey how many pensions up to this time have been granted to applicants who served in the Spanish war, or as dependents?

Mr. LOUDENSLAGER. I think this is the first one.

Mr. GREEN of Pennsylvania. I mean at the Bureau?

Mr. LOUDENSLAGER. I do not know the number.

Mr. GREEN of Pennsylvania. Are there not less than 400?

Mr. LOUDENSLAGER. Every one has been granted a pension that has been considered by this committee and reported to the House. They have all been granted. That was a prerequisite for consideration by the committee.

Mr. GREEN of Pennsylvania. I understand of the 29,000 applications less than 400 have been granted. Of course those have been largely cases where there has been no dispute, where the husband or son, where the soldier, died and the dependent could make a clean case.

Mr. GAINES. I would like to ask the gentleman from Pennsylvania a question.

Mr. GREEN of Pennsylvania. Certainly.

Mr. GAINES. You were in the late war and no doubt suffered greater hardship than those who were not in it. Can you tell why there should be a distinction drawn between the widow of a Spanish-war soldier and the widow of a civil-war soldier for identically the same service, identically the same disability?

Mr. GREEN of Pennsylvania. I will say to the gentleman from Tennessee that there is one great reason, if he will stop to consider. While it may not apply to this case, because I believe this father and son were shot, but in many cases the United States is largely to blame for there being any pension at all. There was mismanagement, which we all know, and that is one reason why we should be more liberal to the men in the Spanish war.

Mr. GAINES. Suppose a civil-war soldier came up here with one leg off and an eye out, and a Spanish-war soldier in like condition, and they both did exactly the same service. Would you be in favor of giving one \$40 a month and the other \$30 a month?

Mr. GREEN of Pennsylvania. I would be in favor of giving them both a pension, but that question has no application to this case. Anybody can ask questions.

Mr. GAINES. I am asking you if there should be a distinction when the services are identically the same?

Mr. GREEN of Pennsylvania. This is a case where the widow has lost her husband. Forty dollars a month will not put her back where she was before.

Mr. GAINES. I do not suppose it would; nor a thousand dollars either.

The CHAIRMAN. The question is on agreeing to the amendments recommended by the committee.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

FESTUS DICKINSON.

The next business on the Private Calendar was the bill (H. R. 2331) to increase the pension of Festus Dickinson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the pension of Festus Dickinson be increased from the sum of \$12, the amount now being paid him, to the sum of \$30 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to Festus Dickinson."

Strike out all after the enacting clause and substitute therefor the words: "That the Secretary of the Interior be, and he is hereby, authorized, and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Festus Dickinson, late captain's clerk, United States Navy, war with Mexico, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PLEASANT H. M'BRIDE.

The next business on the Private Calendar was the bill (H. R. 7624) to increase the pension of Pleasant H. McBride.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase to the sum of \$40 a month the pension of Pleasant H. McBride, late sergeant, Company I, First Tennessee Mounted Volunteers, Mexican war, said pension to be in lieu of pension No. 8768.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Change the title so as to read: "A bill granting a pension to Pleasant H. McBride."

Strike out all after the words "directed to," in line 4, and substitute in lieu thereof the words "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Pleasant H. McBride, late sergeant in Capt. L. D. Newman's company, First Tennessee Mounted Volunteers, war with Mexico, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CATHARINE A. BROWN.

Mr. COX. Mr. Chairman, I want to ask unanimous consent of the committee to take up a bill of an old woman 84 years old, who is as blind as she can be, worth not a dollar on earth to live on except what is furnished her by her friends, and I am afraid she may die before I can get her bill up.

Mr. SULLOWAY. I hope that request will be granted.

Mr. COX. The Calendar number is 562.

The CHAIRMAN. The gentleman from Tennessee [Mr. Cox] asks unanimous consent that House bill 9574 be now taken up. If there is no objection, the Clerk will read the bill.

There was no objection.

The bill (H. R. 9574) to increase pension of Catharine Brown, widow of Frank Brown, was read as follows:

Be it enacted, etc., That the pension of Mrs. Catharine Brown, widow of Frank Brown, be increased from \$8 per month to \$20 per month.

The amendments reported by the Committee on Pensions were read and agreed to, as follows:

Change the title so as to read: "A bill granting an increase of pension to Catharine A. Brown."

Strike out all after the enacting clause and substitute therefor the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine A. Brown, widow of Benjamin F. Brown, late of Captain Crouch's company, First Tennessee Mounted Volunteers, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving."

The bill as amended was laid aside to be reported favorably to the House.

Mr. LOUDENSLAGER. Mr. Chairman, I desire to announce in all fairness that I shall hereafter object to any pension bill being taken up out of its regular order. My object is that business may go along with continuity and that we may have before us such cases as have been regularly reported, and the bills and reports of which are before the House.

GEORGE H. FRENCH.

The next business on the Private Calendar was the bill (H. R. 4520) increasing the pension of George H. French, Company A, Forty-eighth Wisconsin Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the pension roll of the United States, at the rate of \$20 per month, George H. French, who served in Company A of the Forty-eighth Wisconsin Volunteer Infantry, in lieu of the pension he now draws under certificate No. 56547.

The amendments reported by the Committee on Invalid Pensions were read and agreed to, as follows:

Strike out all after the word "place," in line 4, and insert the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. French, late of Company A, Forty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to George H. French."

The bill as amended was laid aside to be reported favorably to the House.

AGNES K. CAPRON.

The next business on the Private Calendar was the bill (S. 1906) granting an increase of pension to Agnes K. Capron.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Agnes K. Capron, widow of Allyn Capron, late captain, First Regiment United States Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendment reported by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out "forty" and insert "twenty-five;" so as to make the rate of the pension \$25 per month.

Mr. O'GRADY. I should like to hear the reasons which influenced the committee in reporting this amendment.

Mr. LOUDENSLAGER. In reply to the inquiry of the gentleman from New York [Mr. O'GRADY], I desire to say that the reason this bill was not reported by the committee at the maximum rate of \$30 a month was that this widow is possessed of a certain amount of property outside of the pension she is now receiving.

In disposing of these cases the committee has considered that in order to be entitled to the maximum amount the claimant should not have any property—should be totally dependent upon the pension for support. We believe in making a discrimination between those widows who are left totally helpless, without property, without any means of support, and those who are entirely dependent, and those who have possibly thousands of dollars out at interest. We think that the latter class ought not to be as largely benefited by the bounty of this Government as those who are entirely destitute—without any means of support. That is the reason we have not reported the maximum amount.

Mr. O'GRADY. Mr. Chairman, as the House probably knows, the beneficiary named in this bill is the widow of Captain Capron, of Capron's Battery. The pension claim under discussion a few moments ago was that of the widow of young Captain Capron, of the Rough Riders. In other words, the son was killed in Cuba, he being among the first of our soldiers to die there, and the father died after his return from Cuba of disease contracted there.

Mr. LOUDENSLAGER. May I ask the gentleman a question?

Mr. O'GRADY. Yes, sir.

Mr. LOUDENSLAGER. Is this lady the own mother of the son?

Mr. O'GRADY. I am not familiar with the facts; but the chairman of the committee [Mr. CAPRON], who seems to know, says that this lady is the widow of one soldier and the mother of the other.

This woman has been left with two young children—under 16 years of age. The only property she has is a small amount of insurance she received upon her husband's life.

It seems to me a sufficient reason has not been given by the committee for discriminating between these two women. I am perfectly willing to yield to the committee upon any proposition that is reasonable. I believe that their action on the former bill was proper enough, but I see no reason why they should have discriminated against this woman or why she should not have received the maximum of \$30. The small amount of money she has received as insurance upon the life of her husband will not be sufficient to educate her children.

These two soldiers represent the second and third generations of a family of soldiers, beginning with a first generation represented by one who was killed in the Mexican war. It is an unexampled case of distinguished gallantry in each instance, and I believe the House should defeat the amendment proposed by the committee and agree to the amount fixed by the Senate, granting to the widow the maximum amount which the committee is confessedly allowing in such cases.

Mr. GAINES. What is the amount reported?

Mr. O'GRADY. In this case they report a pension of \$25 per month to the House. The Senate fixed it at \$40 per month. In the case of the widow of the son, which was acted upon a short time ago, they fixed the amount at \$30.

Mr. GAINES. I understood the gentleman to speak of some life insurance which this lady had received. What is the amount of it?

Mr. O'GRADY. The amount, I think, is \$4,000.

Mr. GAINES. What amount of pension do the children get?

Mr. O'GRADY. The two children are allowed \$2 a month, and the insurance of \$4,000 at 4 per cent would produce \$160 a year.

Mr. BROMWELL. Mr. Chairman, I wish to take the floor for a moment to explain the difference in the two cases.

The statement of Mrs. Capron, in the form of an affidavit now before the committee, shows that she gets \$4,000 life insurance. Now, assuming that this is loaned out at 4 per cent, although it may be loaned out at a higher rate, she gets an income of \$160 a year from that source. That is something over \$13 a month.

Under this bill she gets \$25 a month pension and \$4 a month for the two children until they become 16 years of age. This amount allowed by the Government, together with the income of \$13 a month by way of interest on the \$4,000 at 4 per cent, makes \$42 a month she will get in the way of income. Now, if there is to be any distinction or discrimination in these matters, it seems to me it should have been made in the other case rather than in this one, where the committee allowed \$30 a month. These are the facts and the reason on which the committee bases the distinction.

While the maximum for a captain's widow is \$30 a month pension, yet the independent income of this lady, when added to what she is allowed in the pending bill, and the allowance made to the children until they are 16 years of age, will give her far in excess of the other Capron bill; and we see no good reason why the amount of pension should be put at the maximum of \$30. That is the reason why the committee acted. Under the law she is entitled to \$20, but we give an increase of 25 per cent when we make it \$25.

Mr. DE VRIES. How old are these children?

Mr. BROMWELL. It is stated in the report; one is, I think, about 15 years of age and the other 13.

Mr. DE VRIES. And in one year therefore \$2 will be cut off of the allowance of this widow, and in another year \$2 more.

Mr. BROMWELL. When the law fixes the limit at 16 years, the supposition is that at that age the children would become capable of taking care of themselves or self-supporting. We make a limit of 16 years in all other cases. Instead of being a burden after they are 16 years of age, it is supposed that these boys will be in a position to help themselves and to help their mother.

Mr. DE VRIES. This, I understand, is the pension for the mother of Captain Capron, who was killed in Cuba?

Mr. BROMWELL. Yes; the other was for the wife. One of these officers died of sickness, the other was killed in action. The father died September 18, 1898, of typhoid fever, following an attack of dysentery in Cuba. He had been in the Army for some thirty-five years.

Mr. FITZGERALD of Massachusetts. Is it not a fact that he was brevetted major after his death?

Mr. BROMWELL. That is true; but the brevet rank is not taken into consideration in the Pension Bureau or in the consideration of pensions by the Pension Committee; only the actual rank.

Mr. FITZGERALD of Massachusetts. I appreciate that. But does it not show the fact that if he had lived for a few months longer he would have had a major's commission, and his widow would have been entitled to the pension of that rank?

Mr. BROMWELL. Oh, it is true that if he had lived he might have gone into the Philippines and become a major-general. It is true also that if he had lived his widow would not be here now asking for a pension under the pension laws of the country.

Mr. O'GRADY. Mr. Chairman, I desire to add a single word to what I have said. One of the boys of Mrs. Capron is now 15 years and 9 months of age, as I understand it. In four months more the widow will lose the \$2 a month pension which she now receives for him. So that it is not right to say that she is going to receive that pension for this boy. The other boy is 13 years of age. She will have to educate these boys after they are 16 until they reach their majority.

Mr. BROMWELL. Even if you count out the \$2 a month for the two children, she still will have an income, under this bill, if it passes, of \$25 pension and \$13 from her life insurance, making \$38, which is \$8 a month more than was given in the other Capron case, which is equally meritorious.

Mr. O'GRADY. In answer to the gentleman from Ohio, I desire to say that when the committee came in here and say they have agreed upon a certain figure by which they are going to stand, I am willing to stand with them; but when they use their judgment and discriminate as to how much they shall allow for this pensioner or that pensioner in lieu of something which she may have, then I say that this House itself can make that allowance.

It is no more than right and fair that this woman should receive the amount which she has been voted by the Senate, and therefore I hope that the House will disagree to the amendment of the House committee and vote for the amount of this pension as agreed upon by the Senate—\$40 a month—voting down the House amendment.

Mr. DE VRIES. Mr. Chairman, I think that in this case the House should at least allow the amount to this widow which has been adopted as the rule of the committee, namely, \$30 a month.

It has been developed here that the circumstances which have been taken into account by the committee in order that this widow should be denied \$5 a month are two: First, that the children receive \$2 per month each, or \$4 in all; and second, that she has \$4,000 in life insurance.

It has been further developed that the \$4 per month for the children will soon terminate under the law. Within one year \$2 of that amount will be cut off, and within three years more \$3 further of that amount will be cut off; and I submit to this House, in all candor and fairness, that in a fair determination of the pension due this widow we should take into consideration the fact that she has two children to educate and maintain from the age of 16 years until they are able to earn a livelihood for themselves, and this can be no more than equalized by the \$4,000 life insurance which she is fortunate enough to possess. I submit, therefore, she should be given at least the amount allowed in other cases, or \$30 per month, considering that the \$4 allowed for the children and the interest upon the insurance money is offset by the necessity which is upon her of educating and maintaining those children until they are able to maintain themselves.

Mr. LOUDENSLAGER. I desire to say a word or two in reply to the remarks of the gentleman from New York [Mr. O'GRADY] and of the gentleman from California [Mr. DE VRIES].

In regard to the maximum amount allowed by the committee, we allow the maximum amount to a captain's widow of \$30; or, in other words, we grade them according to what we think is equitable and just, from what the regular law allows, twenty to thirty dollars.

The object of the Pensions Committee and of pension legislation in this House in passing special acts was to conform to the line of equity, and I am sure the gentleman from New York or the gentleman from California would not think that equity would be done by establishing the maximum rate in this case and a minimum rate, or between the maximum and minimum rate, in other cases more meritorious.

In my judgment this is a very equitable disposition of this case. As I understand the object of the pension law, it is to keep pensioners from want and from necessity. This widow, under this law, will get more in proportion than the other widow will get under the special law we have just passed.

And I want to call the attention of the committee to the fact that the injustice which has been done in the past by special legislation has generally occurred when the applicants had a social standing sufficiently strong to direct the attention of members to their cases.

Before our committee to-day we have bills pending for increases of the pensions of widows of 63 officers who fought in the Spanish war, and we have but one bill for the increase of the pension of the widow of a private in that war.

When you increase a private pension bill here beyond the line of equity and justice, you do inequity and injustice to all other pension claimants, and I trust that the action of this committee will conform to the action of the Committee on Pensions.

Mr. RIDGELY. Will the gentleman allow me to ask him a question?

Mr. LOUDENSLAGER. Certainly.

Mr. RIDGELY. Do you think we would have trouble in getting officers to serve in our Army if we should put them and their dependents upon the same scale as the privates in their pension matters?

Mr. LOUDENSLAGER. I do not know that we would; but I wish to say, in reply to the gentleman, that not only in the pension laws, but the rules governing all trades and professions recognize ability. So we have recognized it here. But what I want to call the attention of the committee to is, not to go too far; not to make the discrimination too great. The records of these officers are gallant and meritorious; yet behind them, and making it possible for them to make such records, were the boys behind the guns—the boys in blue—and they deserve from us some consideration. We ought not to be for legislation for high pensions for some particular one, but we ought to be for such pension legislation as is equitable and just, and grant pensions that are equitable and just to all. I trust this committee will conform to the action of the Committee on Pensions. The committee have considered all the cases that have been brought before them, and given them what they consider they are fairly entitled to, after a fair consideration; and people should not insist upon having a higher pension or a higher rate of pension than they are willing to accord to like rank and condition. [Loud applause.]

Mr. FITZGERALD of Massachusetts. I desire to say only a few words in reply to the statement made by the gentleman from New Jersey and to call the attention of the House to the fact that Captain Capron was in the Army practically all his life, and yet when he died, owing to the slow manner in which promotions were made, he never was above the rank of captain.

Mr. BROMWELL. And drew a good salary.

Mr. FITZGERALD of Massachusetts. He would have drawn a much larger salary if he had not died in the performance of his duty at Santiago, as can be judged by the number of promotions which have taken place since that date. Captain Capron was brevetted after his death as major, and this should entitle him to greater consideration.

Mr. BROMWELL. That is true.

Mr. LOUDENSLAGER. I would like to ask the gentleman a question.

Mr. FITZGERALD of Massachusetts. In a moment. I think it is a pretty poor spectacle for the House of Representatives, with the Treasury overflowing, as the Secretary of the Treasury said the other day—\$80,000,000 surplus this year and \$90,000,000 next year—in the case of a man who gave his entire life to his country and died in the service, to give his widow to support her and her family in her declining years but \$25 a month.

I think I have as much sympathy for the common soldier as the gentleman from New Jersey has, and I say that if the opinion of the common soldier were consulted, he would insist on a proper pension for the family of a deceased officer. I do not think it is fair to bring up a comparison of that kind in order to influence the House against increasing the pension of this worthy widow. I do not think that when a man has served the Government all his life, has made his oath of allegiance to the Government to defend it with his life, as he did in this instance, and then in the declining years of her life, when the widow seeks the Government for support, that this House of Representatives can justly say that \$25 per month is a sufficient pension.

I would like to ask any member of Congress on this floor, if he

should die to-morrow, after his wife and family had been accustomed to living at the rate of \$3,000 per year, as was the case with this officer, how he would like to see that wife and family eke out an existence on \$25 per month? Mr. Chairman, this is the richest Government on the face of God's earth. Every time its life has been threatened it was the same common soldier and sailor, led by the trained officers of the Army and Navy, who saved the Government, and we should be liberal in our treatment of the families of these men. I think the taxpayer, whom some of the gentlemen in the House are so anxious to protect, is anxious and willing to give the soldier his just due, and I do not think there is a fair-minded citizen in this country to-day who thinks \$25 per month is sufficient pension for the widow of such a brave, noble, and distinguished officer as Captain Capron.

Mr. RIDGELY. Mr. Chairman, on behalf of privates and dependents of privates who have pension bills pending upon this Calendar, I hope this discussion may end. We have heard both sides. It is simply a question of \$5 a month involved to the widow of an officer, and I hope this discussion may end right here and let us vote. [Cries of "Vote!"]

Mr. GREEN of Pennsylvania and Mr. LOUD rose.

The CHAIRMAN. The gentleman from Pennsylvania having spoken once before, the Chair will recognize the gentleman from California.

Mr. GREEN of Pennsylvania. I have not spoken on this claim.

The CHAIRMAN. The Chair recognizes the gentleman from California.

Mr. LOUD. Mr. Chairman, I hope the Committee on Pensions will recognize the difficulty of the situation that confronts them. It is but the result of your own vicious system. You have attempted to discriminate between two widows, unfortunately bearing the same name. It would seem to me from a casual glance that the widow of the other officer had the most equity, in that her husband had the longest service; but I can not understand how any reasonable man could advocate an increase of pension in either of these cases above what the law gives them.

Now, as the chairman of the Committee on Pensions says, 63 cases are before him at present. I think about all of them passed the other branch of Congress. I think every application that has been made, and so far has received consideration at the hands of the other body, has passed. Now, this condition confronts you. You are going to increase the pensions of the widow of every officer who lost his life incidentally as the result of the late Spanish war.

Is it fair or decent to do this? Is it not the decent thing to do, if you think the widow of a captain ought to have \$25 or \$30, to pass a general law? The committee say they have fixed the maximum, and I can not understand why the committee should assume the right to fix the maximum compensation of a widow when the law itself has fixed the maximum, beyond which they have no right to go, except when they consider the equities of that particular case; and when we consider the equities of a particular case, we consider the special meritorious and gallant services of the late husband.

Mr. BROMWELL. May I suggest to the gentleman that the Committee on Pensions has, in many instances, turned down bills calling for more than the law allows when there were no circumstances of merit in the claim. These two Capron cases, for the reason stated by the gentleman from Massachusetts and the gentleman from New York, by reason of distinguished services, were considered cases where the committee could conscientiously recommend something beyond the law. I will say to the gentleman from California, and to the members of this House, that we have turned down and laid upon the table a number of cases where there were no special circumstances of merit entitling the claimant to anything beyond the amount allowed by law.

The committee has attempted to do just what the gentleman from California suggests—conform to the law. In ordinary cases that had no merit in them, or special circumstances of hardship and suffering, the committee have turned those claims down and laid them on the table, and they will not come to the House for action. We have not felt constrained in every case where a bill came before us to necessarily report the maximum. Every case has received individual consideration, not alone by the members of the subcommittee, but by the Committee on Pensions itself.

Mr. LOUD. I want to say in regard to the Committee on Pensions that they not only deserve the thanks of this Congress, but the thanks of the whole country for striving to the best of their ability to stem the tide which it seems is covering us all. So much for the committee. Now, let us take the case of Lillian Capron. I find that this officer entered the service in October, 1890. It is true he was killed. Yet it is true that there were many thousands killed in the struggle from 1861 to 1865. Why should the widow of a person who was killed in the Spanish war be entitled to and receive any more consideration than any other widow? I fail to see. Was it a more holy war? One was undertaken, as acknowledged by all to-day, North and South, to sustain

and perpetuate the nation. The other, as some people believe, was to subjugate a people. But whatever the cause of the last war, was it any more holy than the other? I ask you, Mr. Chairman, and members of this House, were their services any greater or more meritorious than those during the war from 1861 to 1865?

Now, you are establishing a precedent here that wherever a widow of a person who died as the result, incidentally or otherwise, of the late war, who was a captain, you will give her at least \$25 a month if she has got the courage to come to Congress; and if she has got a good many friends you will give her \$30, and then the other body will give her \$40 or \$50; and when your bills get into conference the inevitable result will follow there. The Committee on Pensions will be swept along, as they have been so far, and will be swept still further along by the other branch of Congress, and you will find yourselves giving to widows of officers of the late war \$10, \$15, \$25 a month in every instance in excess of the law where no man can reasonably assume that there is even equity.

I did not desire to speak on this pension question until we reached these very cases. This is the threshold; to-day you are setting the precedent for all time to come. As I pointed out to the House three or four weeks ago, our friends on this side of the House are as much interested in pushing these cases of the Spanish war widows as you are upon that side. Perhaps it is well, as I suggested to you before, perhaps the more speed with which you can pass these cases the greater the number you can pass, may accomplish results that all honest men wish may come as soon as possible—a thousand an hour, and the country may then begin to ascertain what you are doing.

Mr. DE VRIES. Mr. Chairman, in order to bring before the House one phase of this matter, I desire to submit an amendment to the amendment, striking out "twenty-five" and inserting "thirty;" so that the amount of the pension shall be \$30 a month. In support of this amendment I shall submit one or two remarks. We have just passed a bill allowing \$30 to Mrs. Lillian Capron, the widow of the son of the lady who is the applicant in the case before the House. We are now considering the case of the mother of the deceased son, who was the husband of Lillian Capron; and it is proposed by the committee to allow her \$25 a month—\$5 less than we voted to the widow of this lady's son.

The son went into the Army in 1890, and was killed in 1899. The father went into the Army in 1863; served from that date to the time of his death, and died as the result of disease contracted in the Cuban war—the same service in which his son died. The widow of the son has lost a husband; the widow of the father has lost a husband and son. The widow of the son has nobody to depend on for support. The widow of the father has two children depending upon her.

If the committee in this case is going to contend for uniformity, I submit that the pension of the mother who reared the son in order that he might fight in the battles of his country, and who comforted the husband during the years of his service from 1863 down to a very recent period (the father of this husband having fallen in the Mexican war), we can establish uniformity by giving to the mother at least as much as we have given to the widow of the son.

I submit that an allowance of \$30 a month is not unfair. I submit that the \$4,000 life insurance is more than offset by the duty devolving upon the widow to support, maintain, and educate in a becoming manner two children after the age of 16. While we should be just to the widow, we should not forget the mother, the relict of a brave family of soldiers who have all lost their lives in the battles of our country. The mothers are entitled to our first attention.

Mr. BROMWELL. Mr. Chairman, one minute more and I shall be through. The gentleman who has just taken his seat says that we should make these allowances uniform. That is exactly what the committee propose to do. The gentleman draws a distinction between these two widows, speaking of the one as having children and the other not. He did not refer to the fact that one has \$4,000 of money to invest, from which she can derive an income of \$13 a month, while the other has not a cent except her pension. I say, let us have uniformity, if we can get it; but we can get it better by following the action of the committee than by adopting any other proposition here submitted.

Mr. THORP. Mr. Chairman, I move to amend the amendment of the gentleman from California [Mr. DE VRIES], so as to make the amount of this pension \$40 instead of \$25.

The CHAIRMAN. The original text of the bill proposed to allow \$40, and that allowance will be reached by defeating all the amendments proposing to change that sum. The question before the House is on an amendment offered by the gentleman from California [Mr. DE VRIES] making the amount of the proposed pension \$30 instead of \$25, as proposed by the committee.

The question being taken on the amendment of Mr. DE VRIES, it was not agreed to.

The question being again taken upon the amendment of the

committee, to strike out \$40 and insert \$25, it was adopted—ayes 45, noes 34.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, is it in order now to ask unanimous consent that we have a vote on the \$30 proposition, so as to make this matter uniform? I do not think there will be any objection to this request.

The CHAIRMAN. The Chair will state to the gentleman from Massachusetts that the House has, a moment ago, voted down the \$30 proposition.

Several MEMBERS. Regular order!

Mr. FITZGERALD of Massachusetts. I believe I have the floor; and I desire to make a parliamentary inquiry. Is there any way in which the Committee of the Whole can vote at the present time on the \$30 proposition?

The CHAIRMAN. The Chair repeats, that the vote taken a few moments ago was upon that proposition.

Mr. GROSVENOR. I rise to a point of order, which is that the hour of 5 o'clock has arrived, and the Committee must now rise; that no further business is in order.

The CHAIRMAN. The point of order is not well taken.

Mr. LOUDENSLAGER. I move that the bill be laid aside with a favorable recommendation.

Mr. GAINES. Mr. Chairman, I ask unanimous consent to print in the RECORD reports Nos. 702 and 714, bearing upon these two pension bills.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The reports referred to by Mr. GAINES are as follows:

Mr. LOUDENSLAGER, from the Committee on Pensions, submitted the following report:

The Committee on Pensions, to whom was referred the bill (S. 1905) granting an increase of pension to Lillian Capron, beg to submit the following report and recommend that said bill do pass with an amendment:

The bill is accompanied by Senate Report No. 311, this session, and the following facts are quoted therefrom:

This bill proposes to grant an increase of pension to Lillian Capron, widow of Allyn K. Capron, late captain Troop L, First Regiment United States Volunteer Cavalry, war with Spain.

The soldier entered the service as a private in Troop B, Fourth United States Cavalry, October 20, 1890. He was promoted through the grades of corporal and sergeant, and on October 7, 1893, was appointed a second lieutenant, Fifth United States Infantry, and November 30, 1894, was transferred to the Seventh United States Cavalry.

"On the outbreak of the war with Spain he was mustered in as a captain in the First United States Volunteer Cavalry, and by his skill and military knowledge contributed largely to the organization and efficiency of that regiment. His ability and bravery are matters of public knowledge."

"Captain Capron was one of the first victims of the war with Spain, having been killed in battle near Sevilla, Cuba, June 24, 1898."

"The claimant has been allowed a pension of \$30 per month, this being the pension provided by the general law for a captain's widow. She has no other income. In her affidavit executed January 24, 1900, she states 'that her only income is the \$30 a month pension which she receives as the widow of the said officer, and that this said amount is her only means of support.'"

"Testimony of disinterested witnesses is on file with the bill in corroboration of the claimant's statement as to her dependency."

Your committee believes, after very careful consideration of this case, that the facts are sufficient to justify an increase of the claimant's pension, but not to the extent proposed by the Senate bill. The general law rating for the widows of captains of the Army is \$20, and it is believed that an increase of 50 per cent in this allowance will give Mrs. Capron substantial relief, and will be as high a rating as can be granted with propriety and justice.

It is therefore recommended that the bill be amended so as to fix the rating at \$30 per month.

Mr. LOUDENSLAGER also submitted the following report, to accompany the bill S. 1906:

The Committee on Pensions, to whom was referred the bill (S. 1906) granting an increase of pension to Agnes K. Capron, beg leave to submit the following report and recommend that said bill do pass, with an amendment:

The bill is accompanied by Senate Report No. 312, this session, and the following is quoted therefrom:

"This bill proposes to increase the pension of Agnes K. Capron, widow of Allyn Capron, late captain, First Regiment United States Artillery, from \$20 to \$75 per month."

"The military records show that soldier was a cadet at the United States Military Academy from September 1, 1863, to June 17, 1867, when he was graduated and appointed second lieutenant, First United States Artillery. He was promoted to first lieutenant August 19, 1873, and to captain December 4, 1888. He was honor graduate of the Artillery School, Fort Monroe, Va., in 1873, and participated in the campaign against the Sioux Indians in 1890 and 1891, being engaged in the battles at Wounded Knee Creek, South Dakota, December 29, 1890, and near Catholic Mission, South Dakota, December 30, 1890. He was commended in General Orders, No. 100, Adjutant-General's Office, December 17, 1891, 'for gallant service in action against hostile Sioux Indians at Wounded Knee Creek, South Dakota, on December 29, and near the Catholic Mission, on White Clay Creek, South Dakota, on December 30, 1890.' He died September 18, 1898, of typhoid fever, following malaria dysentery, contracted in Cuba, having had in the Army twenty-five years of continuous service."

"His widow, the claimant under this bill, is now receiving a pension of \$20 per month, with the usual pension for two children under 16 years of age."

"In an affidavit filed with the committee the claimant states that 'her only income is the \$20 per month pension she receives as widow of said officer; that she has two children, Paul, aged 15 years, and Webster, aged 13 years, each of whom receives \$2 per month; that there are \$1,000 insurance money, which will have to be expended for the support and education of the children.'"

"In a letter dated January 23, 1900, she states: 'I am now dependent upon Captain Capron's relations.'"

"Claimant's allegations as to her financial condition are substantiated by the testimony of witnesses having personal knowledge of the facts."

Your committee fully appreciate the brave and honorable record of this officer and are disposed to make some recognition of it in this bill for the

benefit of his widow, but it is not believed that in justice to numerous other widows of captains who draw but \$30 the increase of pension to Mrs. Capron should be as large as that proposed by the bill. The claimant is now in receipt of \$24 per month (\$20 for herself and \$2 for each of her two children), and an added allowance of \$5 per month will, until her oldest child becomes 16 years of age, make her monthly allowance \$29, and this, with her other means, should enable her to live in some degree of comfort.

The Senate bill as passed fixes the rate of pension at \$40 per month, and your committee recommend that this be amended so as to fix the rating at \$25 per month.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, does the presentation of the motion of the gentleman from New Jersey prevent a motion for the reconsideration of the vote on the thirty-dollar question?

The CHAIRMAN. No motion for reconsideration will be in order.

Mr. WILLIAMS of Mississippi. I move that the committee rise.

Mr. LOUDENSLAGER. Mr. Chairman, I have made a motion that this bill be laid aside.

Mr. GROSVENOR. Mr. Chairman, I would like to have the order read providing for this session.

Mr. LOUDENSLAGER. I have already moved that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The first business will be that the House must come to order. Gentlemen will please be seated.

Mr. GROSVENOR. Mr. Chairman, I make the point of order that the rule provides for the adjournment of the session at 5 o'clock on these days. I think the gentleman in the Chair is not quite aware of the order under which we are acting. I may be mistaken; but if I am not mistaken, I think this session must adjourn at 5 o'clock.

The CHAIRMAN. The Clerk will read the order of the House. The Clerk read as follows:

Resolved, That during the remainder of this Congress the second and fourth Friday in each month, after the disposal of such business on the Speaker's table as requires reference only, shall be set apart for the consideration of private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion.

Mr. DALZELL. But, Mr. Chairman, that is not all of the language that is used in the rules.

The CHAIRMAN. The question is on laying aside the bill before the House. Without objection it will be laid aside.

Mr. GREEN of Pennsylvania. I object.

Mr. LOUDENSLAGER. I move that it be laid aside.

Mr. GREEN of Pennsylvania. I move that the committee rise.

The CHAIRMAN. The question is on the motion of the gentleman from New Jersey [Mr. LOUDENSLAGER] that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to; and accordingly the bill was laid aside to be so reported.

Mr. SULLOWAY. Mr. Chairman, I move that the committee now rise and report the bills to the House with such action as may have been taken in the Committee of the Whole.

The motion was agreed to.

The committee accordingly rose; and Mr. HEPBURN, as Speaker pro tempore, took the chair.

Mr. CAPRON reported that the Committee of the Whole House, having had under consideration bills of the Senate of the following titles, had directed him to report the same favorably without amendment, and that said bills do pass, viz:

S. 1251. An act granting an increase of pension to Celia A. Jeffers;

S. 2375. An act granting a pension to Mary A. Russell;

S. 320. An act granting an increase of pension to Allen Buckner;

S. 2209. An act granting an increase of pension to Frederick Higgins;

S. 645. An act granting an increase of pension to David Hunter;

S. 1265. An act granting a pension to Elender Herring;

S. 1194. An act granting an increase of pension to John B. Ritzman;

S. 994. An act granting an increase of pension to Casper Miller, jr.;

S. 819. An act granting an increase of pension to Benjamin F. Bourne;

S. 239. An act granting an increase of pension to Rhoda A. Foster;

S. 1419. An act granting an increase of pension to Annie B. Goodrich;

S. 2167. An act granting an increase of pension to Franklin C. Plantz;

S. 62. An act granting an increase of pension to Robert Black;

S. 241. An act granting a pension to Patrick Layhee;

S. 1331. An act granting an increase of pension to Ellen C. Abbott;

S. 209. An act granting an increase of pension to Cornelia De Peyster Black;

S. 208. An act granting an increase of pension to Josephine I. Offley;

S. 1729. An act granting an increase of pension to Oliver J. Lyon;

S. 531. An act granting a pension to Henrietta Cummins;

S. 1721. An act granting an increase of pension to Amos H. Goodnow; and

S. 2622. An act granting a pension to Maria A. Thompson.

S. 1250. An act granting a pension to Hattie E. Redfield;

S. 2220. An act granting an increase of pension to Eudora S. Kelly;

S. 1309. An act granting an increase of pension to Herman Piel;

S. 1960. An act granting an increase of pension to Eli J. March;

S. 1298. An act granting an increase of pension to Oscar Taylor;

S. 1268. An act granting a pension to Sarah R. Burrell;

S. 346. An act granting an increase of pension to Mrs. Arethusa Wright;

S. 1255. An act granting an increase of pension to James M. Simeral;

S. 261. An act granting an increase of pension to Lizzie H. Hyndman;

S. 1769. An act granting an increase of pension to Henry Frank;

S. 1238. An act granting an increase of pension to Thomas Jordan;

S. 2636. An act granting an increase of pension to Mary E. Law;

S. 677. An act granting an increase of pension to Jerusha W. Sturgis;

S. 883. An act granting an increase of pension to Henry Atkinson;

S. 1264. An act granting an increase of pension to James A. Southard;

S. 2742. An act restoring to the pension roll the name of Annie A. Gibson;

S. 3017. An act granting an increase of pension to Julia M. Edie; and

S. 2351. An act granting an increase of pension to Joseph W. Skelton.

Mr. CAPRON also reported that the Committee of the Whole House, having had under consideration bills of the House of the following titles, had directed him to report the same with amendment and with the recommendation that as amended said bills do pass:

H. R. 1737. A bill to grant a pension to Cora I. Cromwell;

H. R. 1891. A bill granting a pension to Elijah Biddle;

H. R. 3655. A bill granting a pension to Mrs. Margaret Burns, as widow of Peter Burns, late of Company F, Twenty-third Regiment Illinois Volunteer Infantry, in the war of the rebellion;

H. R. 1943. A bill granting an increase of pension to Simon Price;

H. R. 8830. A bill granting an increase of pension to William F. Boyakin;

H. R. 3224. A bill granting a pension to Jeremiah B. Moore;

H. R. 4368. A bill for the relief of Flora B. Hinds;

H. R. 1381. A bill granting a pension to J. J. Angell;

H. R. 2331. A bill granting an increase of pension to Festus Dickinson;

H. R. 7624. A bill granting an increase of pension to Pleasant H. McBride;

H. R. 9574. A bill granting an increase of pension to Catherine Brown, widow of Frank Brown; and

H. R. 4520. A bill granting an increase of pension to George H. French, Company A, Forty-eighth Wisconsin Infantry.

Mr. CAPRON also reported that the Committee of the Whole House, having had under consideration bills of the Senate of the following titles, had reported them with amendment, and with the recommendation that as amended said bills do pass:

S. 2942. An act granting an increase of pension to William Padgett;

S. 1905. An act granting an increase of pension to Lillian Capron;

S. 1906. An act granting an increase of pension to Agnes Capron.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that the previous question may be considered as ordered upon the several bills reported from the Committee of the Whole and the amendments thereto to their passage.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

Mr. LOUDENSLAGER. I do not object except to the last bill.

Mr. SULLOWAY. That is all right; it is included.

Mr. LOUDENSLAGER. I have no objection.

The SPEAKER pro tempore. The Chair hears no objection to the request of the gentleman from New Hampshire, and it is so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. POWERS, for two weeks, on account of important business.

To Mr. BRUNDIDGE, indefinitely, on account of sickness.
 To Mr. YOUNG, for one week, on account of important business.
 To Mr. PHILLIPS, for ten days, on account of important business.
 To Mr. BOUTELL of Illinois, for to-day and to-morrow, on account of illness in his family.
 To Mr. McLAIN, for this day, on account of illness.
 To Mr. MORGAN, for ten days, on account of important business.

ORDER OF BUSINESS.

Mr. PAYNE. I move that the House do now adjourn.
 Mr. THOMAS of North Carolina. I ask the gentleman to withdraw that motion for a moment so that I may make a statement.
 The SPEAKER pro tempore. The gentleman from New York moves that the House do now adjourn.
 The motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred by the Speaker as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Surgeon-General of the Marine-Hospital Service submitting an estimate of appropriation for maintenance of quarantine service—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General submitting an estimate of appropriation for fees and expenses in the Weil and La Abra case—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of J. J. D. Miller, administrator of estate of John D. Miller, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Kenneth R. Pendleton against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of law and fact in the case of ship *Star*, John Burchmore, master, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of War, recommending the transfer of certain buildings at Key West to the Convent of Mary Immaculate—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting the draft of a bill and a letter from the Commissioner of the General Land Office, relating to grazing in forest reserves—to the Committee on the Public Lands, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MARSH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4742) to amend section 1225 of Revised Statutes, so as to provide for detail of active or retired officers of the Army and Navy to assist in military instruction in public schools, reported the same with amendment, accompanied by a report (No. 1000); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 887) to provide for adding to and completing specimens and productions, both natural and manufactured, of the United States and of foreign countries, to be exhibited in the Philadelphia Museums for the purpose of increasing the trade of the United States, reported the same without amendment, accompanied by a report (No. 1001); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOODY of Oregon, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 2866) to extend the provisions of section 8 of the act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, concerning prosecutions for cutting timber on public lands, to California, Oregon, and Washington, reported the same without amendment, accompanied by a report (No. 1002); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DAYTON, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 8298) to remove the charge of desertion from the record of Walter Allen, of the United States Navy, reported the same with amendment, accompanied by a report (No. 1003); which said bill and report were referred to the Private Calendar.

Mr. NEEDHAM, from the Committee on Claims, to which was referred the bill of the House (H. R. 6591) for the relief of Austin A. Yates, reported the same without amendment, accompanied by a report (No. 1004); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HOPKINS: A bill (H. R. 10696) relating to the Twelfth and subsequent censuses, and giving the Director thereof additional power and authority in certain cases, and for other purposes—to the Committee on the Census.

By Mr. RIDGELY: A bill (H. R. 10697) to amend section 4787, Revised Statutes of the United States, as amended by the act of February 27, 1877, and March 3, 1891—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 10698) to amend an act amending the act entitled "An act to authorize the receipt of United States gold coin in exchange for bars"—to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 10699) to authorize the holding of foreign coin as bullion—to the Committee on Coinage, Weights, and Measures.

By Mr. VREELAND: A bill (H. R. 10700) to confirm a lease with the Seneca Nation of Indians—to the Committee on Indian Affairs.

By Mr. MORRIS: A bill (H. R. 10701) to amend section 6, chapter 119, United States Statutes at Large numbered 24—to the Committee on Indian Affairs.

By Mr. BULL: A bill (H. R. 10732) to reimburse certain States for expenses incurred in aiding the United States to raise and equip the Volunteer Army of the United States in the war with Spain—to the Committee on War Claims.

By Mr. CUMMINGS: A joint resolution (H. J. Res. 235) authorizing the exhibit of Government relics at the New York Printing Exposition from May 2 to June 2, 1900—to the Committee on Appropriations.

By Mr. WEEKS: A joint resolution (H. J. Res. 236) providing for a survey of the St. Clair Flats Canal, in the State of Michigan—to the Committee on Rivers and Harbors.

By Mr. METCALF: A concurrent resolution (H. C. Res. 38) for the improvement of Oakland Harbor—to the Committee on Rivers and Harbors.

By Mr. OTEY: A resolution (H. Res. 224) relative to guards and watchmen at the male workhouse in the District of Columbia—to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN of Mississippi: A bill (H. R. 10702) for the relief of Susan C. Robinson, Iuka, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10703) for the relief of the estate of Mary H. Moore, deceased, Iuka, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10704) for the relief of the estate of William Clement, deceased, late of Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10705) for the relief of Henry M. Cobb, of Tishomingo County, Miss.—to the Committee on War Claims.

By Mr. BOREING: A bill (H. R. 10706) to pension Miss Flora Moore, of Williamsburg, Ky.—to the Committee on Invalid Pensions.

By Mr. CARMACK: A bill (H. R. 10707) to carry into effect a finding of the Court of Claims in favor of Charles O. Spencer—to the Committee on War Claims.

Also, a bill (H. R. 10708) to carry into effect a finding of the Court of Claims in favor of Emma R. Bailey, executrix of the estate of J. J. Bailey, deceased—to the Committee on War Claims.

By Mr. COWHERD: A bill (H. R. 10709) for the relief of the

legal representatives of M. B. Mosley, deceased—to the Committee on War Claims.

By Mr. CUSHMAN: A bill (H. R. 10710) for relief of Socrates Thallmer—to the Committee on Invalid Pensions.

By Mr. GAINES (by request): A bill (H. R. 10711) for the relief of Patrick Twohig, Shelby County, Tenn.—to the Committee on Claims.

Also (by request), a bill (H. R. 10712) for the relief of the estate of John Kerr, deceased, late of Shelby County, Tenn.—to the Committee on Claims.

Also (by request), a bill (H. R. 10713) for the relief of the Columbia Athenæum, Columbia, Tenn.—to the Committee on Claims.

By Mr. GILBERT: A bill (H. R. 10714) for the relief of A. Portwood—to the Committee on War Claims.

Also, a bill (H. R. 10715) for the relief of S. P. Martin—to the Committee on War Claims.

Also, a bill (H. R. 10716) for the relief of Joseph Martin—to the Committee on War Claims.

By Mr. HAUGEN: A bill (H. R. 10717) for the relief of James Curran—to the Committee on Military Affairs.

By Mr. HEMENWAY: A bill (H. R. 10718) granting an increase of pension to J. W. Garton—to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 10719) granting a pension to Elizabeth S. Seymour—to the Committee on Invalid Pensions.

By Mr. LENTZ: A bill (H. R. 10720) for the relief of William T. Alexander—to the Committee on War Claims.

Also, a bill (H. R. 10721) granting an increase of pension to Matthew Cherry—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 10722) granting a pension to Josephine Hussey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10723) granting a pension to Laura Levensaler—to the Committee on Invalid Pensions.

By Mr. McALEER: A bill (H. R. 10724) granting an increase of pension to Martha G. D. Lyster—to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 10725) granting a pension to Mae Pearman—to the Committee on Invalid Pensions.

By Mr. MARSH: A bill (H. R. 10726) for the appointment of assistant surgeons of volunteers—to the Committee on Military Affairs.

By Mr. POWERS: A bill (H. R. 10727) granting a pension to Frances A. Wilkins—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 10728) for the relief of Hiram Cronk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10729) for the relief of Frederick Graff—to the Committee on Claims.

By Mr. SUTHERLAND: A bill (H. R. 10730) granting an increase of pension to Jesse Clark—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 10731) for the relief of William H. Denniston, late an acting lieutenant, Seventieth New York Volunteers—to the Committee on Military Affairs.

By Mr. GRAHAM: A bill (H. R. 10733) granting an increase of pension to Jeremiah Evans—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 10734) granting an increase of pension to William McFee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10735) granting a pension to Josiah C. Hancock—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN of Mississippi: Petition of citizens of Baldwin and Starkville, Miss., in favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, protest of Moses Harris and others, of Browns Creek, Miss., against the Loud bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BARNEY: Petition of Dunlap & Williams and other druggists of Waukesha, Wis., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, resolution of Old Guard Post, No. 211, Department of Wisconsin, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. BELL: Petitions of W. W. Bartholomew and E. Margaret Gowdy, of Colorado Springs, Colo., favoring the passage of House bill No. 5457, known as the Spalding bill—to the Committee on Military Affairs.

Also, petitions of the First Baptist and Congregational churches, of Grand Junction, Colo., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, and Soldiers' Homes—to the Committee on Military Affairs.

Also, resolutions of Mulligan Post, No. 79; Upton Post, No. 8, and J. W. Anderson Post, No. 96, Department of Colorado, Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. BOUTELLE of Maine: Petition of Frank G. Flagg Post, No. 122, Grand Army of the Republic, of Hampden, Me., urging the passage of Senate bill No. 1477, with certain amendments, relating to pensions—to the Committee on Invalid Pensions.

Also, petition of the Pinetree Creamery Company, of Sherman Mills, Me., in favor of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

By Mr. BOWERSOCK: Resolutions of the Woman's Christian Temperance Union of Burton, Mich., against the sale of intoxicants in the Army—to the Committee on Military Affairs.

Also, resolutions of Building Trades Council of Cincinnati, Ohio, against the passage of the bill relating to oleomargarine, etc.—to the Committee on Agriculture.

By Mr. BROMWELL: Petition of the Building Trades Council of Cincinnati, Ohio, relating to bill in reference to the manufacture and sale of oleomargarine—to the Committee on Agriculture.

By Mr. BROSIUS: Petition of the Woman's Christian Temperance Union of Lititz, Pa., and churches and societies of New Holland, Pa., and Woman's Christian Temperance Union of Landisville, Pa., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, and Soldiers' Homes—to the Committee on Military Affairs.

By Mr. BULL: Petition of J. A. Tillinghast, master of the Rhode Island State Grange, in favor of various bills—to the Committee on Agriculture.

Also, petition of citizens of East Greenwich, R. I., favoring the Grout bill, relating to dairy products—to the Committee on Agriculture.

Also, petition of Blanding & Blanding, druggists, Providence, R. I., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, petition of John W. Tillinghast, manager of the Rhode Island News Company, against the passage of the Loud bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Lodge No. 119, International Association of Machinists, of Newport, R. I., for the building of one or more new war ships in Government navy-yards—to the Committee on Naval Affairs.

By Mr. BURKE of South Dakota: Petitions of the Baptist and Methodist Episcopal churches and Epworth League of Brookings, S. Dak., against the sale of intoxicants in the Army, etc.—to the Committee on Military Affairs.

By Mr. CAPRON: Protest of John W. Tillinghast, manager of the Rhode Island News Company, in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of Blanding & Blanding, druggists, Providence, R. I., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, petition of J. A. Tillinghast, master of the Rhode Island State Grange, in favor of various bills—to the Committee on Agriculture.

By Mr. COCHRANE of New York: Petition of Winane Post, No. 34, of Troy, N. Y., Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petition of the Woman's Christian Temperance Union of Lansingburg, N. Y., relative to the sale of liquors in the new possessions—to the Committee on Insular Affairs.

By Mr. DALZELL: Resolutions of National Jobbing Confectioners' Association, in favor of the substitution of aluminum for copper coins—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of Engineers' Society of Western Pennsylvania, in favor of legislation for a national bureau of standards and standardization—to the Committee on Coinage, Weights, and Measures.

Also, paper to accompany House bill for the relief of W. H. Denniston—to the Committee on Military Affairs.

By Mr. DENNY: Petition of Park Avenue Young Woman's Christian Temperance Union, of Baltimore, Md., favoring the passage of the Bowersock bill and the abolition of the Army canteen, etc.—to the Committee on Military Affairs.

By Mr. DOVENER: Affidavits of B. F. Hardin and T. H. Werlich, to accompany House bill No. 1769, granting an increase of pension to I. H. Duval—to the Committee on Invalid Pensions.

By Mr. FITZGERALD of Massachusetts: Memorial of the United States Brewers' Association, of New York, asking for the repeal of the war tax on malt liquors—to the Committee on Ways and Means.

Also, petitions of the Columbus Trades and Labor Assembly

and Abraham Lincoln Lodge, No. 445, Brotherhood of Locomotive Firemen, Columbus, Ohio, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

Also, petition of 29 associations of brewers in all parts of the United States, in favor of a reduction of the internal-revenue tax on beer—to the Committee on Ways and Means.

Also, petition of William W. Castle and other members of a committee of the Annual Encampment of the Grand Army of the Republic, at Boston, Mass., for the observance of the 12th day of February as a national holiday, in honor of the birthday of Abraham Lincoln—to the Committee on the Judiciary.

By Mr. GAMBLE: Petitions of the Universalist and Methodist Episcopal churches of Wessington Springs, S. Dak., urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

Also, petitions of the Congressional, Baptist, and Methodist Episcopal churches of Armour, S. Dak., and Methodist Episcopal and Universalist churches of Wessington Springs, S. Dak., to prohibit the selling of liquors in any post exchange, transport, or premises used for military purposes—to the Committee on Military Affairs.

By Mr. GRAHAM: Resolutions of the Building Trades Council of Cincinnati, Ohio, in opposition to proposed legislation restricting the sale of butterine—to the Committee on Agriculture.

By Mr. HENRY of Connecticut: Petition of the Woman's Christian Temperance Union of Willington, Conn., for the passage of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

Also, petition of West Hartford Grange, Patrons of Husbandry, West Hartford, Conn., in favor of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

Also, petition of West Hartford Grange, Patrons of Husbandry, West Hartford, Conn., in relation to the passage of Senate bill No. 1439, known as the Cullom bill—to the Committee on Interstate and Foreign Commerce.

By Mr. JACK: Petition of George P. Simpson and others, of Blairsville Intersection, Pa., and various churches of Leechburg, Saltlick, Elderton, Putneyville, and Blairsville, Pa., for the passage of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. KLEBERG: Petition of W. B. George and other citizens of Calhoun County, Tex., asking for the removal of the sand bar between Lavaca and Matagorda bays, for a survey of same with a view of dredging, etc.—to the Committee on Rivers and Harbors.

By Mr. LACEY: Resolutions of Ed Carris Post, No. 333, of Keota, and Post No. 103, of Lynnville, Iowa, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. McALEER: Petition of P. H. Morrissey, grand master Grand Lodge Brotherhood of Railroad Trainmen, Cleveland, Ohio, urging the passage of House bill No. 10302, providing that railroads report the details of all injuries to employees to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the United States Brewers' Association, for the repeal or reduction of the war tax on malt liquors—to the Committee on Ways and Means.

Also, petition of the mayor and aldermen of Frederick, Md., urging the passage of a bill to indemnify the city of Frederick for the ransoms exacted by the Confederate army on invasion—to the Committee on War Claims.

Also, petition of the State Horticultural Association of Pennsylvania, favoring the passage of the Brosius pure-food bill—to the Committee on Agriculture.

Also, petitions of Abraham Lincoln Lodge, No. 445, Brotherhood of Locomotive Firemen, of Columbus, Ohio, and Building Trades Council of Cincinnati, Ohio, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. McDOWELL: Petitions of D. E. Weiss and A. M. Weiss, of Hanover, Ohio, favoring the Grout bill relating to oleomargarine—to the Committee on Ways and Means.

By Mr. MAHON: Petition of the Young Men's Working Band, Methodist Episcopal Church, Chambersburg, Pa., favoring the anti-canteen bill—to the Committee on Military Affairs.

Also, petition of the Young Men's Christian Association of Susquehanna University, Selinsgrove, Pa., to prevent the dealing in intoxicating drinks upon premises used for military purposes—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: Papers to accompany House bill granting a pension to Mrs. Matilda Daugherty—to the Committee on Invalid Pensions.

Also, petitions of the United Presbyterian Church, Young People's Christian Union, and Maple Heights Mission, of Bloomington,

Ind., against the sale of intoxicating liquors in our new islands and in our Army—to the Committee on Insular Affairs.

Also, papers to accompany House bill granting an increase of pension to Richard Hardin—to the Committee on Invalid Pensions.

By Mr. NEVILLE: Affidavits of J. C. Beswick and Manford Mott, in behalf of the pension claim of Alexander Boltin—to the Committee on Invalid Pensions.

By Mr. PACKER of Pennsylvania: Petition of F. L. Morgan and other citizens of Osceola, Pa., against the sale of liquor in Army canteens and at Soldiers' Homes, Government buildings, etc.—to the Committee on Military Affairs.

By Mr. PAYNE: Petition of the Woman's Christian Temperance Union of Preble, N. Y., urging the passage of House bill abolishing the Army canteen, etc.—to the Committee on Military Affairs.

By Mr. PUGH: Paper to accompany House bill No. 9102, to increase the pension of James R. Chapman—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of the International Printing Pressmen's Union No. 19, Fort Wayne, Ind., in opposition to proposed legislation restricting the sale of butterine—to the Committee on Agriculture.

By Mr. SHATTUC: Resolutions of Commodore Foote Post, No. 200, Grand Army of the Republic, Department of Ohio, favoring the establishment of a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. SHOWALTER: Petitions of the Woman's Christian Temperance Union of New Wilmington, Pa., and Baptist Church of Salem, Pa., urging the enactment of House bill known as the anti-canteen bill—to the Committee on Military Affairs.

By Mr. SPALDING: Petition of D. M. Young and other citizens of Youngtown, N. Dak., to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

Also, petition of Phil Sheridan Post, No. 3, of North Dakota, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petition of the Woman's Christian Temperance Union of Amenias and Sunday school of Absaraka, N. Dak., for the suppression of liquor selling in our new islands and in our Army—to the Committee on Military Affairs.

By Mr. SUTHERLAND: Resolutions of the Woman's Christian Temperance Union and Methodist Episcopal Church, of Spring Ranch, Nebr., and Woman's Christian Temperance Union of Bartley, Nebr., to prohibit the sale of intoxicating liquors in Army canteens and at military posts—to the Committee on Military Affairs.

Also, petition of the Congregational Church of Naponee, Nebr., favoring restriction of saloons in our new possessions, and other reforms—to the Committee on Insular Affairs.

By Mr. WILSON of New York: Resolution of Burtis Post, No. 185, Department of New York, Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, resolutions of the United States Brewers' Association, for the repeal of the tax upon malt liquors—to the Committee on Ways and Means.

By Mr. YOUNG: Papers to accompany House bill No. 6947, granting a pension to Alonzo C. Rembaugh—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 9341, granting a pension to Thomas Case—to the Committee on Invalid Pensions.

Also, petition of the Association of United States Government Employees of the navy-yards and arsenals of Philadelphia, urging the passage of House bill No. 4728, relating to leave of absence with pay to certain employees of the Government—to the Committee on Naval Affairs.

Also, petition of the Commercial Travelers' Mutual Accident Association, for a trade treaty between the United States and Canada—to the Committee on Foreign Affairs.

Also, petition of A. Donald Tiemann, of Philadelphia, Pa., against the sale of intoxicating liquors in the Philippines—to the Committee on Insular Affairs.

Also, petition of the legislative committee of the Pennsylvania State Grange, Harrisburg, Pa., favoring the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, petition of the Philadelphia Hardware Association, Philadelphia, Pa., favoring the passage of House bill No. 837, for the promotion of exhibits in the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Pennsylvania Fish Protective Association, favoring House bill No. 7343, establishing a fish hatchery and fish station in Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

Also, petition of William Henry Maule, of Philadelphia, Pa., in support of House bill No. 9632, providing a safer and easier method of sending money by mail, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Central News Company and Lee Bros. & Co., Philadelphia, Pa., in relation to the Loud bill and amendments—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Courtland Saunders Post, No. 21, Grand Army of the Republic, Department of Pennsylvania, protesting against the passage of any bill placing deserters on the same equality with honorably discharged soldiers—to the Committee on Invalid Pensions.

Also, communication of S. G. Simpson & Co., of Philadelphia, Pa., in relation to Senate bill No. 222, to provide a government for the Territory of Hawaii—to the Committee on the Territories.

SENATE.

SATURDAY, April 14, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on motion of Mr. PETTIGREW, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

GRAZING WITHIN FOREST RESERVES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of the General Land Office, together with the form of a bill entitled "A bill to authorize the Secretary of the Interior to make a charge for grazing within forest reserves," which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

AGES OF EMPLOYEES IN EXECUTIVE DEPARTMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 16th ultimo, a statement showing the number of persons employed in the Department of Justice as clerks, messengers, etc., together with their ages; which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 16th ultimo, a statement showing the number of persons employed in the Interior Department as clerks, messengers, etc., together with their ages, their ability to perform manual labor, etc.; which, with the accompanying paper, was ordered to lie on the table and be printed.

SHIP STAR—FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings and opinion by the court relating to the vessel ship *Star*, John Burchmore, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the bill (S. 2336) repealing section 4716 of the Revised Statutes so far as the same may be applicable to the claims of dependent parents of soldiers, sailors, and marines who served in the Army and Navy of the United States during the war with Spain.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8347) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9139) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1901, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. BINGHAM, and Mr. ALLEN of Mississippi managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and in

the islands of Cuba and Porto Rico; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1092) to set apart a portion of the Arlington estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office;

A bill (H. R. 2356) for the relief of Hiram Johnson and others; and

A bill (H. R. 2456) for the relief of the heirs and assignees of Philip McLoskey and John Hagan.

PETITIONS AND MEMORIALS.

Mr. LINDSAY presented memorials of the Carter County Bugle, of Grayson; of Paul Kratz, of the Pentecostal Herald, of Louisville; of the Harrodsburg Sayings, of Harrodsburg, and of the Lost Cause, of Louisville, all in the State of Kentucky, remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post Offices and Post-Roads.

Mr. McMILLAN presented a petition of sundry citizens of Romeo, Mich., praying for the enactment of legislation to prohibit the sale of intoxicating liquors upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the general committee of the Polish Republican clubs of Detroit, Mich., praying for the repeal of the revenue law providing for revenue stamps on eighth and sixth kegs of beer; which was referred to the Committee on Finance.

He also presented a petition of 4,000 citizens and taxpayers of the District of Columbia, praying for the appointment of two superintendents instead of one for the schools of the District of Columbia and that one superintendent be a colored man and in charge of the colored schools; and also that three clerks be appointed instead of two and that the appointments of superintendents be vested in the board of education; which was ordered to lie on the table.

Mr. STEWART. I present resolutions adopted by the National Board of Trade, and also resolutions by Chambers of Commerce, Boards of Trade, Business and Labor Leagues, Exchanges, and other commercial bodies of the cities of Denver, Colo.; Cleveland, Ohio; Des Moines and Sioux City, Iowa; Manchester, N. H.; Los Angeles, Cal.; Clinton, Iowa; New Brunswick, N. J.; Quincy, Ill.; Buffalo, N. Y.; Phoenix, Ariz.; Peoria, Ill.; Sacramento, Cal.; Baltimore, Md.; Philadelphia, Pa.; Atlanta, Ga.; Bay City, Mich.; Birmingham, Ala.; Council Bluffs, Iowa; Charleston, S. C.; Detroit, Mich.; Eugene, Oreg.; Honesdale, Pa.; Indianapolis, Ind.; Kuttawa, Ky.; Lancaster, Pa.; Montgomery, Ala.; Muskegon, Mich.; New Haven, Conn.; New Orleans, La.; Passaic, N. J.; Pensacola, Fla.; Pittsburg, Pa.; Topeka, Kans.; Sagua la Grande, Cuba; St. Louis, Mo.; Schenectady, N. Y.; Savannah, Ga.; Wilkes-barre, Pa.; Wilmington, Del.; Wheeling, W. Va., and San Francisco, Cal., all in favor of the construction of a competing cable line between the United States and Cuba. I move that the resolutions be printed as a document and referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. COCKRELL presented a petition of the Commercial Club, of St. Joseph, Mo., praying that an appropriation of \$250,000 be made for a survey of the arid lands in the West; which was referred to the Committee on Public Lands.

He also presented a petition of the Liquor Dealers' Benevolent Association of Missouri, praying for the repeal of the present tax on beer; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Adrian, Mo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, transport, or upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the Missouri and Kansas Lumber Dealers' Association, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. FORAKER presented a petition of the congregation of the Third Church of Christ, of Akron, Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the newly-acquired possessions of the United States, immigrant stations, Soldiers' Homes, and upon any premises used for military purposes by the United States, and also praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on Military Affairs.